

CRL RC(MD)No.982 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.982 of 2025

Rohini

... Petitioner/ Petitioner /
Owner of the Vehicle

Vs.

The State of Tamil Nadu,
Represented by its, the Sub Inspector of Police,
Thachanallur Police Station,
Tirunelveli District.
(Crime No.31 of 2019)

... Respondent / Respondent /
Complainant

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to set aside the order passed in Cr.M.P.No.13784 of 2024 by the Chief Judicial Magistrate, Tirunelveli, dated 24.12.2024.

For Petitioner : Mr.K.Karansingh

For Respondent : Mr.S.S.Manoj,
Government Advocate
(Criminal side)

ORDER

This Criminal Revision Petition is filed to set aside the order passed in Cr.M.P.No.13784 of 2024 by the Chief Judicial Magistrate, Tirunelveli, dated



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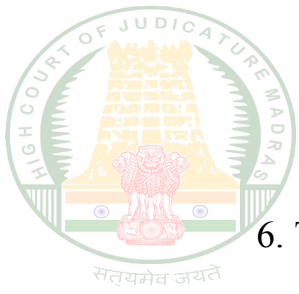
24.12.2024 and entrust the custody of the vehicle to the petitioner and allow the
above Criminal Revision Petition.

2. The case of the prosecution is that the respondent filed a FIR in Crime No.31 of 2019 for an alleged offence under Section 294(b), 352, 324, 307 and 506(2) of IPC for the quarrel between the accused and the defacto complainant. Subsequently, the petitioner's Royal Enfield Two wheeler bearing registration number TN 76 AF 4088 was seized. Thereafter, the petitioner filed Cr.M.P.No. 1378 of 2024 for the return of vehicle before the learned Chief Judicial Magistrate, Tirunelveli and the same was dismissed on 24.12.2024.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 24.12.2025 made in Cr.M.P.No.13784 of 2024 on the file of the learned Chief Judicial Magistrate, Tirunelveli, and to set aside the same.

4. Heard the learned counsels on either side and carefully perused the materials available on record.

5. The learned Government Advocate (Criminal side) appearing for the respondent Mr.S.S.Manoj, submitted that trial has been concluded in this case and the accused was acquitted.



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6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No.TN 76 AF 4088 is owned by the petitioner and he was not involved in any such offence as alleged by the respondent and if the vehicle is kept in open place, the vehicle will get deteriorated and the value of the vehicle would automatically stand diminished and therefore custody may be granted to the petitioner.

7. Considering the fact that the trial in S.C.No.364 of 2019 has been concluded and the petitioner was acquitted, this Court is inclined to allow the revision and thereby setting aside the impugned order dated 24.14.2024 passed in Cr.M.P.No.13784 of 2024 by the learned Chief Judicial Magistrate, Tirunelveli.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 24.14.2024 passed in Cr.M.P.No.13784 of 2024 by the learned Chief Judicial Magistrate, Tirunelveli, is hereby set aside and the vehicle viz., Royal Enfield Two wheeler bearing registration number TN 76 AF 4088, is ordered to be returned to the petitioner.

18.08.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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L.VICTORIA GOWRI, J.,

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To

1. The Chief Judicial Magistrate, Tirunelveli.
2. The Sub Inspector of Police,
Thachanallur Police Station,
Tirunelveli District.
(Crime No.31 of 2019)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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