



Crl.O.P.(MD)No.12393 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED : 23.07.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.12393 of 2025

Bharathan

... Petitioner

Vs

1.The State of Tamil Nadu,
The Inspector of Police,
Velliyanai Police Station,
Karur District.

2.Velusamy,
The Village Administrative Officer,
7 - Uppidamangalam West Village,
Karur District.

...Respondents

Prayer : Criminal Original Petition filed under Section 528 of BNSS, to issue a direction to direct the first respondent police to remove the petitioner's vehicle bearing No.TN 41 Q 0182 from the FIR in Cr.No. 166 of 2025 dated 21.06.2025, on the file of the 1st respondent police within the stipulated time limit fixed by this Court.

For Petitioner
For R1

: Mr.V.G.Vallarasu Chezhiyan
: Mr.A.S.Abul Kalaam Azad,
Government Advocate(Crl.side)



Crl.O.P.(MD)No.12393 of 2025

ORDER

WEB COPY

The petitioner seeking a direction to the respondent police to remove his vehicle number bearing Reg. No.TN 41 Q 0182 from the First Information Report in Crime No.166 of 2025, dated 21.06.2025, on the file of the first respondent police, has filed this petition that the said vehicle has not been involved in any offence.

2.The learned counsel for the petitioner submits that the respondent police has registered a case in Crime No.166 of 2025 and has also seized five vehicles including the petitioner's vehicle bearing Reg. No.TN 41 Q 0182. According to the learned counsel, this vehicle has been parked in a separate place and not in the occurrence place. Moreover, his vehicle was not involved in any crime. The learned counsel by referring to the First Information Report in Crime No.166 of 2025 submits that other two vehicles have been recovered with sand, however, no sand or any type of soil has been recovered from his vehicle. He also submits that this vehicle is fitted with GPS, he is having the data of GPS entries and he is ready to furnish the same to



Crl.O.P.(MD)No.12393 of 2025

WEB COPY

the respondent police, to prove that the vehicle was not in movement for nearly one month prior to the date of occurrence. In fact, the vehicle has been parked for the purpose of FC.

3.Mr.A.S.Abul Kalaam Azad, learned Government Advocate(Crl.side), who takes notice for the first respondent by referring to the order in Crl.OP(MD) No.5231 of 2016, dated 04.04.2016 submits that the prayer sought for by this petitioner cannot be considered, unlike code of Civil Procedure, where pleadings can be amended, in the Code of Criminal Procedure, FIR cannot be amended. He further submits that the during the course of investigation, if the commission of serious offences come to light, it is always open to the police to file alteration report in accordance with law.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner claims that his vehicle bearing Reg.No.TN 41 Q 0182, which has been parked in the open space after the painting



Crl.O.P.(MD)No.12393 of 2025

work has been erroneously seized by the respondent police.

WEB COPY

Admittedly, the vehicle has been seized without any mineral. The petitioner claims that his vehicle is fitted with GPS and he is prepared to furnish the GPS details to the respondent police that the vehicle was not operated for more than a month.

6.In view of the above, this Criminal Original Petition is disposed of with the following directions:-

- i. The petitioner is directed to furnish GPS data to the respondent police, within one week.
- ii. The respondent police is directed to scrutinize and ascertain whether the petitioner's vehicle was in movement or kept idle and also to verify whether the vehicle was actually involved in the commission of offence, by considering the GPS data.
- iii.If the Investigating Officer is satisfied that the petitioner's vehicle has not been involved in any offence, the respondent



WEB COPY



Crl.O.P.(MD)No.12393 of 2025

police is directed to release the vehicle to the petitioner, on production of necessary documents to prove the ownership of the vehicle.

23.07.2025

NCC : Yes/No

Index : Yes/No

vrn

To

The Inspector of Police,
Velliyanai Police Station,
Karur District.



WEB COPY



Crl.O.P.(MD)No.12393 of 2025

B.PUGALENDHI,J

vrn

Order made in
Crl.OP(MD)No.12393 of 2025

23.07.2025