



CRL RC(MD)No.928 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.928 of 2025

Karuppaiya

... Petitioner / Petitioner

Vs.

The Sub Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
(Crime No.74/2025)

... Respondent / Complainant

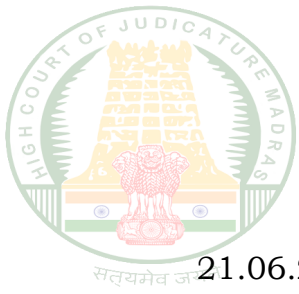
PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the records pertaining to the order made in CrI.M.P.No.887 of 2025 dated 21.06.2025 on the file of the learned District Munsif cum Judicial Magistrate, Karambakkudi, and to set aside the same and consequently to grant interim custody of the vehicle bearing registration No. TN-12-D-1827.

For Petitioner : Mr.V.Vishnu

For Respondent : Mr.S.S.Manoj,
Government Advocate (CrI. Side)

ORDER

Challenging the order passed by the learned District Munsif cum Judicial Magistrate, Karambakkudi, in CrI.M.P.No.887 of 2025 dated



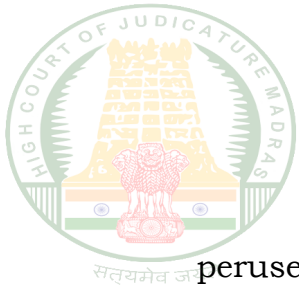
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21.06.2025, seeking interim custody of the vehicle bearing registration No. TN-12-D-1827, this Criminal Revision case is filed.

2. The learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle, viz., Bolero Pik-Up bearing registration No.TN-12-D-1827. The petitioner's vehicle was seized in connection with crime No.74 of 2025 for the offences under Section 303(2) of BNS and Section 21(1) & (2) of Mines & Minerals (Development & Regulations). Since the vehicle is under the custody of the respondent police, the petitioner filed an application in CrI.M.P.No.887 of 2025 for return of the vehicle before the learned District Munsif cum Judicial Magistrate, Karambakkudi. However, the said application was dismissed, vide order dated 21.06.2025.

3. The petitioner preferred the Criminal Revision Petition as against the order dated 21.06.2025 made in CrI.M.P.No.887 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Karambakkudi, and to set aside the same.

4. Heard the learned counsels on either sides and carefully



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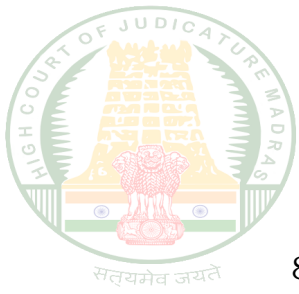
perused the materials available on record.

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5. The learned Government Advocate (Crl. side) appearing for the respondent would submit that the petitioner is the owner of the vehicle and the said vehicle was involved in two previous cases.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing registration No.TN-12-D-1827 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 interim custody may be granted to the petitioner.

7. Considering the facts and circumstances of the case and also the fact that if the vehicle is kept in open place exposing to sun and rain, the value of the vehicle will be deteriorated and no purpose will be served in keeping the vehicle in custody, this Court is inclined to allow the revision and thereby setting aside the impugned order dated 21.06.2025 passed in Crl.M.P.No.887 of 2025 by the learned District Munsif cum Judicial Magistrate, Karambakkudi.



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8. Accordingly, this Criminal Revision Case is allowed and the order dated 21.06.2025 passed in CrI.M.P.No.887 of 2025 by the learned District Munsif cum Judicial Magistrate, Karambakkudi, is hereby set aside and the vehicle viz., Bolero Pik-Up bearing registration No.TN-12-D-1827, is ordered to be returned to the petitioner for interim custody subject to the confiscation proceedings to be taken by the concern Department or by the Court on the following conditions:-

- (a) the petitioner is directed to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** as non-refundable deposit for the said vehicle to the credit of the RAY OF LIGHT FOUNDATION, Bank Name: HDFC BANK, A/c No: 50100078904233, A/c Name: Ray of Light Foundation, Branch: HABIBULLAH ROAD, T NAGAR, CHENNAI, IFSC code: HDFC0001864;
- (b) the petitioner shall execute a bond for a sum of **Rs. 4,50,000/- (Rupees Four Lakhs and Fifty Thousand only)**, with two sureties for a likesum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Karambakkudi;
- (c) the petitioner shall deposit the original Registration Certificate of the vehicle before the learned District Munsif cum Judicial Magistrate, Karambakkudi;



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- (d) The petitioner shall give an undertaking before the respondent/ authority concerned stating that he will not use the vehicle in question for any illegal activities in future, failing which the respondent/trial Court is at liberty to confiscate the vehicle;
- (e) the petitioner shall not alienate and shall not make any alteration in the vehicles;
- (f) the petitioner shall produce the vehicle before the Court at 10.30 A.M., on first working day of the every calendar month until further orders.

28.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

- 1.The District Munsif cum
Judicial Magistrate,
Karambakkudi.
- 2.The Sub Inspector of Police,
Karambakudi Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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L.VICTORIA GOWRI, J.,

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