



Crl.RC(MD)No.1326 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.10.2025

CORAM

THE HONOURABLE **MR.JUSTICE SHAMIM AHMED**

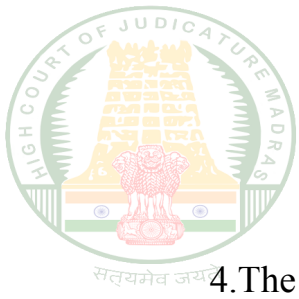
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Bala @ Balamuralikrishnan,
S/o.Sekar,
No.3/197, West Street,
Perungulam,
Ramanathapuram District.

... Petitioner

Vs.

- 1.The State,
Represented by its,
The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram District.
(In Crime No.556 of 2021)
- 2.The Tahsildar,
Taluk Office,
Ramanathapuram,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.



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4.The Assistant Director,
Geology and Mining Department,
Ramanathapuram.

5.The Branch Manager,
Sriram Transport Finance Limited,
Uchipulli Branch,
Uchipulli,
Ramanathapuram.

... Respondents

Prayer: This Criminal Revision Petition is filed under Section 438 r/w 442 of B.N.S.S. Act, 2023, praying to call for the records pertaining to the order passed in Cr.M.P.No.7361 of 2024 in Crime No.556 of 2021 dated 20.11.2024 on the file of the learned Judicial Magistrate No.II (FAC), Ramanathapuram and set aside the same by allowing the Criminal Revision Petition.

For Petitioner : Mr.R.Vinodh

For R-1 to R-4 : Mr.M.Karunanithi,
Government Advocate
(Criminal Side)

ORDER

The Criminal Revision Petition has been filed by the Revision Petitioner to set aside the order passed in Cr.M.P.No.7361 of 2024 in



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Crime No.556 of 2021 dated 20.11.2024 on the file of the learned
Judicial Magistrate No.II (FAC), Ramanathapuram.

2. Heard Mr.R.Vinodh, learned counsel appearing for the Revision
Petitioner and Mr.M.Karunanithi, learned Government Advocate
(Criminal Side), appearing for the Respondent.

3. The Petitioner is the owner of the JCB vehicle, bearing
Reg.No.TN-65-J-6106, which was seized by the Respondent Police and a
case in Cr.No.556 of 2021 was registered for the offences under Section
379 of IPC and Section 21(1) of Mines and Minerals (Development &
Regulation) Act, 1957 and Section 3 of Tamil Nadu Public Property
(Prevention of Destruction and Loss) Act, 1992. The said vehicle is
under the custody of the Respondent Police. The Petitioner has filed
Crl.MP.No.7361 of 2024 before the learned Judicial Magistrate No.II
(FAC), Ramanathapuram, to grant interim custody of the said vehicle and
the said petition was dismissed by the court below by the impugned order
dated 20.11.2024. Hence, this Criminal Revision Case has been filed.



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4. Mr.R.Vinodh, learned counsel for the petitioner submits that the vehicle was wrongly seized by the Respondent Police without any authority and with a *mala fide* intention, the case has been set up by the respondent, even though no illegal act was done by the petitioner. It was further submitted that putting the vehicle in the open yard at the Police Station will solve no purpose and it will damage the vehicle.

5.The learned counsel for the petitioner further submits that the respondents are now trying to auction the said vehicle. Thus, he prays this Court that an interim direction may be issued to the respondents that the respondents may not auction or change the nature of the vehicle in question, namely, JCB, bearing Reg.No.TN-65-J-6106, till the final disposal of this Criminal Revision Case.

6. Mr.M.Karunanithi, learned Government Advocate (Crl.side), who has accepted notice for the respondent, prays four weeks time to file a counter affidavit on behalf of the respondent.



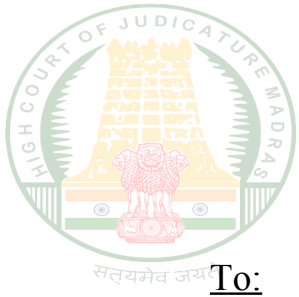
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WEB COPY 7. Accordingly, considering the request made by the learned Government Advocate (Crl.side) for the respondent, four weeks and no more time is granted to file a counter affidavit for the respondent and thereafter, one week time is granted to the learned counsel for the petitioner to file a rejoinder affidavit to the counter affidavit filed by the respondent.

8. Put up this case 'for final hearing' on **27.11.2025** before the appropriate Bench. The respondents are restrained from auctioning or alienating the vehicle in question, namely, JCB bearing Registration No.TN-65-J-6106, till the date of next hearing.

10.10.2025

Nsr



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- 1.The Judicial Magistrate No.II (FAC), Ramanathapuram.
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Ramanathapuram,
Ramanathapuram District.
- 4.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
- 5.The Assistant Director,
Geology and Mining Department,
Ramanathapuram.
- 6.The Branch Manager,
Sriram Transport Finance Limited,
Uchipulli Branch,
Uchipulli,
Ramanathapuram.
- 7.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SHAMIM AHMED, J.

Nsr

Order made in
Crl.RC.(MD)No.1326 of 2025

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