



CRL OP(MD). No.15635 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 24/10/2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.15635 of 2025

Mayandi,

... Petitioner

Vs

1. The Sub-Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District..
2. M/s. Cholamandalam Finance Investment Company Limited,
Through its Manager, ... Respondents

PRAYER :- Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the records relating to the order dated 22.07.2025 in CrI.M.P. No. 3267 of 2025 in CrI.R.P. No. 16 of 2024 on the file of the Special District Court deal with the cases of Mines and Minerals (D and R) Act, 1957, Madurai, set aside the same and consequently, direct the Special District Court deal with the Cases of Mines and Minerals (D&R) Act, 1957, Madurai, to return the vehicle Mahendra Bolero Maxi Truk Plus bearing Registration No. TN 43 F 3343 to the petitioner herein.



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For Petitioner : Mr.Kannathasan C,
For R1 : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor

ORDER

The petitioner seeks to set aside the order dated 22.07.2025 in Crl.M.P. No. 3267 of 2025 in Crl.R.P. No. 16 of 2024 on the file of the Special District Court dealing with the cases of Mines and Minerals (D and R) Act, 1957, Madurai and to direct the Special District Court dealing with the Cases of Mines and Minerals (D&R) Act, 1957, Madurai, to return the vehicle, namely, Mahendra Bolero Maxi Truk Plus bearing Registration No. TN 43 F 3343 to the petitioner.

2. The petitioner is facing investigation in Crime No.40 of 2025 on the file of the first respondent, which was registered for the offences under Sections 379, 430 of IPC r/w 21 of Mines and Minerals (D & R) Act.

3. The petitioner sought for interim custody of his vehicle, namely, Mahindra Bolero Maxi Truk Plus 2 WD, bearing Registration No.TN 43 F 3343 in Crl.M.P.No.4720 of 2024 on the file of the learned Judicial



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Magistrate No.VI, Melur and the same was dismissed on 04.11.2024.

Thereafter, the petitioner filed Criminal Revision Petition No.16 of 2024 before the Special District Court dealing with the Cases of Mines and Minerals (D & R) Act, 1957, Madurai, to set aside the order passed in Crl.M.P.No.4720 of 2024 dated 04.11.2024. The learned Judge allowed the revision on 07.03.2025 with some conditions. One of the conditions is that the petitioner shall deposit the original Registration Certificate of the vehicle before the learned Judicial Magistrate No.IV, Madurai.

4. Thereafter, the petitioner has filed Crl.M.P.No.3267 of 2025 before the Special District Court dealing with the Cases of Mines and Minerals (D & R) Act, 1957, Madurai, seeking for modification of the said condition, since RC book is with the second respondent/Cholamandalam Fiance Investment Company Limited, who had financed the purchase of the vehicle.

5. While hearing the case, the learned Sessions Judge directed the petitioner to produce the letter of the second respondent/Cholamandalam Finance Investment Company Limited acknowledging that the original



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Registration Certificate is in their possession. However, the petitioner had not filed the said letter in time. Hence, the modification petition was dismissed on 22.07.2025. Aggrieved over the same, this petition is filed.

6. The learned counsel for the petitioner would submit that the petitioner has now obtained the letter of the second respondent/ Cholamandalam Finance Investment Company Limited to show that the Registration Certificate is in their possession.

7. In view of the aforesaid submission, this Court set aside the order passed in CrI.M.P.No. 3267 of 2025 in CrI.R.P.No.16 of 2024 on the file of the Special District Court dealing with the cases of Mines and Minerals (D and R) Act, 1957, Madurai dated 22.07.2025 and remand the matter for reconsideration of the application filed by the petitioner seeking modification. It is needless to say that if the petitioner is able to satisfy the Special Court that the original Registration Certificate is in possession of the second respondent, the learned Sessions Judge may pass appropriate orders.



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8. With the above observations, this Criminal Original Petition is
allowed.

24.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

1.The Special District Court deal with the cases of Mines
and Minerals (D and R) Act, 1957, Madeira.

2. The Sub-Inspector of Police,
Nagamalai Pudukottai Police Station,
Madurai District..

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SUNDER MOHAN,J

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**ORDER
IN
CRL OP(MD) No.15635 of 2025**

Date : 24/10/2025