



CRL.R.C.(MD)No.1254 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.1254 of 2025

Chandrababu

... Petitioner

VS.

The State of Tamilnadu,
represented by the Inspector of Police,
Manavalakurichy Police Station,
Kanyakumari District.
(Cr.No.54 of 2025)

... Respondent

PRAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records in Crl.M.P.No.1112 of 2025 on the file of the Judicial Magistrate Court, Eraniel, dated 21.07.2025, in connection with 1st condition of that the petitioner should submit a document regarding the current value of the vehicle by the two respectful person along with documents / solvency acceptable by the Judicial Magistrate, Eraniel.

For Petitioner	:Mr.R.Venkatesan
For Respondent	:Mr.R.Karunanithi
	Government Advocate (Crl.side)



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ORDER

The present Criminal Revision Case has been filed with the following prayer:

“to call for the records in Crl.M.P.No.1112 of 2025 on the file of the Judicial Magistrate Court, Eraniel, dated 21.07.2025, in connection with 1st condition of that the petitioner should submit a document regarding the current value of the vehicle by the two respectful person along with documents / solvency acceptable by the Judicial Magistrate, Eraniel.”

2.Heard Mr.R.Venkatesan, learned Counsel for the petitioner and Mr.M.Karunanithi, learned Government Advocate (crl.side) accepts notice for the respondent. Thus, there is no need to issue notice on the respondent.

3.Mr.R.Venkatesan, learned Counsel for the petitioner submits that the petitioner's JCB bearing Registration No.TN-75-AE-5784 along with other vehicles was seized by the respondent Police in connection with Cr.No.54 of 2025, for the alleged theft of sea sand. The learned Counsel



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for the petitioner submits that the vehicle was wrongly seized by the respondent 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.

4.The learned Counsel for the petitioner further submits that the petitioner has filed a petition in Crl.M.P.No.1112 of 2025 before the learned Judicial Magistrate, Eraniel, seeking interim custody of the vehicle, ie., JCB bearing Registration No.TN-75-AE-5784 and the learned Judicial Magistrate, Eraniel, vide order, dated 21.07.2025 in Crl.M.P.No.1112 of 2025, has ordered release of vehicle with certain conditions and the 1st condition is that the petitioner should submit a document regarding the current value of the vehicle and should produce two sureties to the current value of the vehicle along with documents / evidence (solvency) acceptable by the Judicial Magistrate, Eraniel.



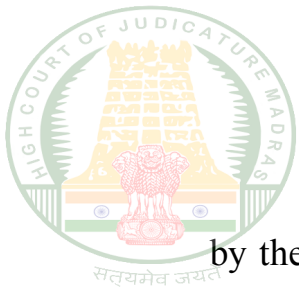
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5.The learned Counsel for the petitioner submits that the condition imposed by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, is unjustifiable and not in accordance with law and is liable to be set aside. The learned Counsel for the petitioner submits that the petitioner is ready to comply with any conditions imposed by this Court and is ready to produce two sureties to a sum of Rs.50,000/- each (Rupees Fifty Thousand each) and requested to modify the condition No.1 imposed by the learned trial Court.

6.Mr.M.Karunanithi, learned Government Advocate (Crl.side), who has accepted notice for the respondent, fairly submits that the condition No.1 imposed by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, may be modified by this Court and the present Criminal Revision may be disposed by accordingly.

7.Accordingly, after considering the arguments as advanced by the learned Counsel for the parties and on perusal of the order passed by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, this Court is of the opinion that the condition No.1 imposed



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by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, is unjustifiable and is liable to be modified.

Accordingly, the condition No.1 imposed by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, is modified as follows:

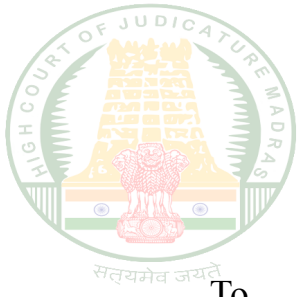
“The petitioner shall produce two sureties to the value of Rs.50,000/- each (Rupees Fifty Thousand each) before the Judicial Magistrate, Eraniel within three weeks from today.”

Rest of the conditions imposed by the learned Judicial Magistrate, Eraniel, in Crl.M.P.No.1112 of 2025, dated 21.07.2025, are unaltered.

8.With the above modification, this Criminal Revision Petition is finally disposed of. The file is consigned to record. No order as to costs.

Index :Yes / No
NCC :Yes / No
cmr

16.09.2025



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- 1.The Judicial Magistrate, Eraniel.
- 2.The Inspector of Police,
Manavalakurichy Police Station,
Kanyakumari District.



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SHAMIM AHMED, J.

cmr

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