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Crl.R.C.No.98 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.98 of 2026

Sivakumar

... Petitioner

Vs.

State represented by Inspector of Police,
Udumalpet Police Station,
Tiruppur District.
(Crime No.780 of 2025)

... Respondent

Prayer: Criminal Revision Case filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order dated 02.01.2026 passed by the learned Judicial Magistrate No.1, Udumalpet in Crl.M.P.No.881 of 2025 in Crime No.780 of 2025.

For Petitioner : Mr.L.Mouli

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl. Side)

ORDER

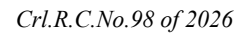


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The revision challenges the dismissal of the petitioner's application seeking interim custody of his vehicle Tipper Lorry bearing Registration No.TN 99 Z 5747, seized during the course of investigation in Crime No.780 of 2025.

2. The petitioner is an accused of offence under Section 305 (e) of BNSS read with 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 for transporting stones worth about Rs.15,000/- without a valid license. The petitioner sought for return of vehicle before the learned Judicial Magistrate No.1, Udumalpet in Crl.M.P.No.881 of 2025, which came to be dismissed on 02.01.2026 on the ground that the petitioner is likely to commit similar offences and is likely to alienate the property if interim custody is handed over to the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner had a valid permit and that the allegations suggest that the conditions of the permit to transport stones were violated and none of the offences are made out; that the petitioner has no bad antecedents and the vehicle is lying idle at the police station ever since the date of seizure on



vehicle is handed over to him.

for release of the vehicle.

seizure and the petitioner is the owner of the vehicle.

the following conditions:-



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(i) The petitioner shall execute a personal bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.1, Udumalpet;

(ii) The petitioner shall produce the original RC Book along with a self-attested Photostat copy of the RC Book of the vehicle and other relevant records to prove his ownership. The learned Judicial Magistrate No.1, Udumalpet, shall peruse the RC book and other records, retain a xerox copy of the same and return the original RC book to the petitioner;

(iii) The petitioner shall not alter or alienate the vehicle in any manner;

(iv) The petitioner shall also give an undertaking that he will produce the vehicle as and when required by the respondent and by the Court below.



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(v) The return of property would be subject to
the result of the confiscation proceedings, if any.

7. Accordingly, this Criminal Revision Case is allowed.

20.01.2026

Index : Yes/No
Speaking Order/Non Speaking Order
Mac

SUNDER MOHAN, J.

Mac

To

1. The Judicial Magistrate No.1, Udumalpet

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2. The Inspector of Police,
Udumalpet Police Station,
Tiruppur District.

3. The Public Prosecutor,
High Court, Madras.

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20.01.2026