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Crl.R.C.No.99 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.99 of 2026

Ramdoss @ Elamvazhuthi

... Petitioner

Vs.

State represented by Inspector of Police,
CBCID Police Station,
Cuddalore District.
(Crime No.1 of 2024)

... Respondent

Prayer: Criminal Revision Case filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records on the file of the Chief learned Judicial Magistrate, Cuddalore District in Crl.M.P.No.11627 of 2025 dated 25.11.2025 and set aside the order.

For Petitioner : Mr.M.Machavatharan

For Respondent : Mr.R.Vinothraja

Government Advocate (Crl. Side)

ORDER

The revision challenges the dismissal of the petitioner's application seeking return of vehicle car bearing Registration No.TN 91 P



0850 seized during the course of investigation in Crime No.107 of 2025, which was subsequently transferred to the respondent and renumbered as Crime No.1 of 2024 for the offences under Sections 465, 468, 472, 471 read with Section 511 IPC.

2. It is the case of the respondent that the petitioner along with 15 other accused had prepared forged certificates and gained wrongfully and used the vehicle for the distribution of certificates; that the vehicle was purchased out of the proceeds of crime. Hence, the aforesaid vehicle was seized during the course of investigation. The petitioner sought the return of the vehicle before the learned Chief Judicial Magistrate, Cuddalore, in Crl.M.P.No.11627 of 2025, which came to be dismissed on 25.11.2025, as the respondent objected to the return on the ground that the car was purchased from the proceeds of crime.

3. The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle and that the car was given as a gift at the time of his marriage. Hence, the car may be returned to him.



4. The learned Government Advocate (Crl. Side) for the respondent, *per contra*, would submit that the petitioner along with other accused has committed a serious offence and that the car was purchased out of proceeds of crime and therefore, the impugned order dismissing the return of vehicle is justified.

5. It is not the case of the respondent that the car of the petitioner is a stolen property or that it created suspicion of commission of offence. It is the case of the respondent that the car was purchased out of proceeds of crime. Therefore, the respondent ought to have invoked Section 107 of BNSS, seeking attachment of the property.

6. Admittedly, the petitioner is the owner of the property. The vehicle is lying idle in the police station since 08.07.2024, and subjected to the vagaries of the weather. Hence, this Court is inclined to set aside the impugned order dated 25.11.2025 passed by the learned Chief Judicial Magistrate, Cuddalore in Crl.M.P.No.11627 of 2025 in Crime No.1 of 2025. Accordingly, the impugned order is set aside and the respondent is directed to hand over the interim custody of the vehicle to the petitioner on the



following conditions:-

(i) The petitioner shall execute a personal bond for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) with two sureties for a likesum to the satisfaction of the learned Chief Judicial Magistrate, Cuddalore;

(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 Chief Judicial Magistrate, Cuddalore, 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



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below.

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

(vi) It is made clear that it is open to the respondent to seek attachment of the property if the conditions under Section 107 BNSS are satisfied.

7. Accordingly, this Criminal Revision Case is allowed.

20.01.2026

Index : Yes/No
Speaking Order/Non Speaking Order
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SUNDER MOHAN, J.

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To

1. The Chief Judicial Magistrate, Cuddalore

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2. The Inspector of Police,
CBCID Police Station,
Cuddalore District.

3. The Public Prosecutor,
High Court, Madras.

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