



WEB COPY

CRL RC No. 406 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 406 of 2026

Tamilselvi
W/o.Murugan,
No. 28/54, Kanannagar,
Mariamman Koil Street,
Tiruvannamalai.

..Petitioner(s)

Vs

State Represented by The Sub Inspector of Police
Tiruvannamalai East Police Station,
Tiruvannamalai.
Crime No.811/2023

..Respondent(s)

PRAYER : Revision filed under Section 438 & 442 of BNSS, to set aside the order passed by the Learned Judicial Magistrate No.II, Tiruvannamalai in CrI.M.P.No.1807/2024 dt. 23.09.2024.

For Petitioner(s):

Mr.A.K.RAJARAMAN

For Respondent(s):

MR.R.VINOTHRAJA
GOVERNMENT ADVOCATE(CRIMINAL
SIDE)

ORDER

The Criminal Revision challenges the dismissal of the petitioner's application filed under Sections 451 and 452 of Cr.P.C., for return of her vehicle viz., KTM 200 Duke Motorcycle bearing Registration No.TN-25-CD-3458.



2. It is the case of the prosecution that the petitioner's son was found in possession of 40 gms of ganja and the petitioner's vehicle was seized during the course of the investigation.

3. The petitioner who is not the accused in the said case, sought for return of the vehicle. The said petition came to be dismissed by the impugned order.

4. The learned counsel for the petitioner submitted that the petitioner is not the accused; that her son is only the accused; that she is the owner of the vehicle; and that she is entitled for the interim custody of the said vehicle.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner is not the accused and no confiscation proceedings has been initiated so far.

6. Considering the fact that the petitioner is not an accused and she is the owner of the vehicle, this Court is inclined to set aside the impugned order. Accordingly, the impugned order passed in Crl.M.P.No.1807 of 2024 dated 23.09.2024 is set aside and the interim custody of the vehicle is directed to be handed over to the petitioner on the following conditions:



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(i) The petitioner shall execute a personal bond for a sum of Rs.30,000/- (Rupees Thirty Thousand only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.II, Tiruvannamalai;

(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 her ownership. The learned Judicial Magistrate No.II, Tiruvannamalai, 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 she will produce the vehicle as and when required by the respondent and by the Court below.

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

7. With the above observations and directions, this Criminal Revision Case is disposed of.

23-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

GSK



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SUNDER MOHAN, J.

GSK

To

- 1.Judicial Magistrate No.II, Tiruvannamalai.
- 2.The Sub Inspector of Police
Tiruvannamalai East Police Station,
Tiruvannamalai.

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