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CRL RC No. 270 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 10-02-2026**

CORAM

**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**CRL RC No. 270 of 2026**

Amul. K

..Petitioner(s)

Vs

The State Rep By  
The Inspector of Police  
T-8, Muthapudupet Police Station,  
Thiruvallur District.  
Crime No.417 of 2024.

..Respondent(s)

To set aside the impugned order dated 19.11.2025 made in CrI.M.P.No.6170 of 2025 on the file of the Learned II Additional Special Court for Exclusive trial of cases under NDPS Act, Chennai and consequently direct the respondent police to return the petitioner's Two Wheeler bearing Registration TN-20-DJ-0378 Model Hero Splendor Plus 13S, Black Color Bike, Engine No. HA11E8R6C02822- Chassis No.MBLHAW223R6C02894 by allowing this Criminal Revision Petition and pass such other orders as this Honble Court.

For Petitioner(s): Logesh.A

For Respondent(s): Mr.R.Vinothraja Government Advocate  
(Criminal Side)



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## **ORDER**

The Criminal Revision challenges the dismissal of the petitioner's application filed under Section 497 of BNSS seeking return of his vehicle, namely Hero Splendor Plus, bearing Registration No. TN-20-DJ-0378.

2. It is the case of the prosecution that the first accused, who is a friend of the petitioner, was found in possession of 1.15 Kgs of Ganja when he was intercepted based on the information received by the respondent police, and that the said contraband was transported using the above vehicle belonging to the petitioner, who is not an accused.

3. During the course of investigation, the said two-wheeler was seized on 14.11.2024. The petitioner sought return of the vehicle. The learned Magistrate dismissed the petition on the ground that the vehicle was liable for confiscation and that confiscation proceedings had already been initiated.

4. The learned counsel for the petitioner submitted that the petitioner is not an accused; that he has no bad antecedents; that the vehicle was used by the accused without the petitioner's involvement; and that, being the owner of



the vehicle and not an accused, he is entitled to interim custody; and that he is willing to comply with any conditions imposed by this Court.

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5. The learned Government Advocate (Crl. Side) confirmed that the petitioner is not an accused and that the vehicle was used by the accused for transporting the contraband.

6. Considering the fact that the petitioner is the owner of the vehicle and is not an accused, this Court is inclined to grant interim custody of the vehicle to the petitioner.

7. Accordingly, this Criminal Revision Case is allowed and the impugned order dated 19.11.2025 passed by the learned II Additional Special Court for Exclusive Trial of cases under NDPS Act, Chennai, in Crl.M.P.No.6170 of 2025 in Crime No.417 of 2024 is set aside. In view of the same, the respondent is directed to return the vehicle viz., Hero Splendor Plus, bearing Registration No. TN-20-DJ-0378 to the petitioner on the following conditions:

(i) The petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousan only) with two sureties for a likesum to the satisfaction of the learned Special Judge, II Additional Special Court Exclusive for Trial of Cases under



NDPS Act, Chennai;

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(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 Special Judge, II Additional Special Court Exclusive for Trial of Cases under NDPS Act, Chennai, 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.

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

**10-02-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

skr



To

1. The learned Special Judge, II Additional Special Court  
Exclusive for Trial of Cases under NDPS Act, Chennai.
2. The Inspector of Police,  
T-8, Muthapudupet Police Station, Thiruvallur District.
3. Learned Public Prosecutor, Madras High Court, Chennai.



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**SUNDER MOHAN, J.**

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