



Crl.O.P.No.3519 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.3519 of 2026

Arjunan

...Petitioner

Vs.

State represented by,
The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.
(Crime No.1179 of 2020)

...Respondent

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to set aside the order dated 03.11.2025 made in Crl.R.C.No.1 of 2025 on the file of the learned District and Sessions Judge, Tirupattur District, by allowing this petition.

For Petitioner : Mr.S.Mageshkumar

For Respondent : Mr.S.Santhosh, GA (Crl. Side)

ORDER

This criminal original petition has been filed seeking to set aside the order dated 03.11.2025 passed by the learned District and Sessions Judge, Tirupattur District, in Crl.R.C.No.1 of 2025.

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2. The brief facts of the case are as follows:-

2.1. The respondent police registered an FIR in Crime No. 1179 of 2020 for the offences under Sections 379 & 430 of IPC r/w. 21(1) of Mines and Minerals (Development & Regulation) Act, alleging that when the Village Administrative Officer and the Assistant were patrolling in connection with sand theft, an unregistered tractor and trailer were seen being used for theft of sand, and the driver of the said vehicle fled the scene and therefore, the respondent-police seized the said Mahendra Tractor and Trailer, which belong to the petitioner. Hence, the petitioner filed a petition under Sections 451 & 457 of Cr.P.C. in Crl.M.P.No.7237 of 2024, seeking interim custody of the said Mahendra Tractor before the learned Judicial Magistrate No.III, Tirupattur District. However, the learned Magistrate, vide order dated 18.11.2024, dismissed the said interim custody petition.

2.2. Against the dismissal of the said petition, a revision was preferred by the petitioner/accused before the learned District and Sessions Judge, Tirupattur District, in Crl.R.C.No.1 of 2025. The learned Judge, in turn, dismissed the said revision, vide order dated 03.11.2025, confirming the order of the learned Judicial Magistrate No.III, Tirupattur District. Aggrieved by the same, the present petition has been filed.



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3. It is well settled that a revision petition ought to be preferred before the Sessions Court under Section 397 of Cr.P.C. Once the revision is dismissed, a subsequent petition under Section 482 Cr.P.C., before the High Court challenging the very same order would, in substance, amount to a second revision, which is specifically barred under Section 397(3) of Cr.P.C. The inherent powers of this Court under Section 482 Cr.P.C. cannot be invoked to circumvent such a statutory bar. However, no doubt, in certain exceptional circumstances, this Court can entertain a petition filed under Section 482 Cr.P.C.

4. But, in the present case, no such exceptional circumstance has been made out warranting interference under Section 482 Cr.P.C. Therefore, the present petition, being in the nature of a second revision, is not maintainable and is liable to be dismissed.

5. This criminal original petition stands dismissed accordingly.

13.02.2026

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Neutral Citation: Yes/No

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- To
1. The District and Sessions Judge,
Tirupattur District.
 2. The Judicial Magistrate No.III,
Tirupattur District.
 3. The Inspector of Police,
Natrampalli Police Station,
Tirupattur District.
 4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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