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CRL RC No. 501 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

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THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 501 of 2026

Mohamed Abdul Kader Seyed

..Petitioner(s)

Vs

The State, Rep by Inspector of Police,
Ambattur Police Station,
Prohibition Enforcement Wing (PEW)
Ambattur, Chennai-600 053
(Crime No.164 of 2025)

..Respondent(s)

Criminal Revision filed under Section 438 and 442 of BNSS, praying to set aside the order dated 07.02.2026 passed by the Principal Special Court under EC & NDPS Act, Chennai, in Crl.M.P.No.217 of 2026 and consequently, direct the respondent police to release the petitioner's vehicle viz., Innova, white colour car, bearing Registration No.TN-65-H-0050, which was seized in connection with Cr.No.164 of 2025 on the file of the respondent police station.

For Petitioner(s):

Mr.S.Sarath Kumar

For Respondent(s):

MR.R.VINOTHRAJA
GOVERNMENT ADVOCATE
(CRIMINAL SIDE)

ORDER

The revision petition challenges the dismissal of the petitioner's application in Crl.M.P.No.217 of 2026 dated 07.02.2026, seeking interim



custody of the petitioner's car bearing registration No.TN65-H-0050, which was seized during the course of investigation in Cr.No.164 of 2025, registered for the offence under Sections 8(c) r/w 20(b)(ii)(c), 25 and 29(1) of NDPS Act.

2. It is the case of the prosecution that the accused in the said F.I.R had transported 50 Kgs of ganja in the said vehicle and committed the aforesaid offences.

3. During investigation, the petitioner's vehicle, which was used by A3, was seized; and the petitioner sought for return of the vehicle, which came to be dismissed by the impugned order.

4. The learned counsel for the petitioner would submit that, the vehicle is lying idle at the police station since 19.10.2025; and that since the petitioner is the registered owner of the vehicle, he is entitled to the interim custody of the same, which may be handed over to him on any stringent conditions.

5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the said accused A3, who had used the petitioner's vehicle is absconding and that only on his apprehension, it would be revealed



whether the petitioner is involved in the offence or not; and that at this stage, the vehicle cannot be released.

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6. Though the F.I.R was registered on 19.10.2025, the respondent have so far not collected any evidence to prove the involvement of the petitioner. As on date, the petitioner is not an accused. The petitioner is the owner of the vehicle.

7. The vehicle is kept idle in an open place in the police station since 19.10.2025 and subjected to vagaries of the weather. In such circumstances, this Court is of the view that the petitioner would be the proper person entitled to interim custody and the vehicle can be returned to him on stringent conditions.

8. Accordingly, this Criminal Revision Case is allowed and the impugned order dated 07.02.2026 made in Crl.M.P.No.217 of 2026 on the file of the Principal Special Court under EC & NDPS Act, Chennai, is set aside. In view of the same, the respondent is directed to return the vehicle to the petitioner on the following conditions -

(i) The petitioner shall execute a personal bond for a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) with two sureties for a likesum to the satisfaction of the learned Principal Special Court under EC & NDPS Act, Chennai;



(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 Magistrate, 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.

27-02-2026

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

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To

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1. Inspector of Police,
Ambattur Police Station,
Prohibition Enforcement Wing (PEW)
Ambattur, Chennai-600 053
2. The Principal Special Court under EC & NDPS
Act, Chennai



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SUNDER MOHAN, J.

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