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CRL RC No. 450 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 450 of 2026

Manikandan
S/o.Ravi, No.15/46, Theppakula street,
Nangavalli, Mettur Taluk, Salem
District.

Petitioner(s)

Vs

The Inspector of Police,
Mettur - PEW Police station,
Salem District. Cr.No.163/2025.

Respondent(s)

PRAYER Criminal Revision Petition is filed under Sections 438 r/w 442 of BNSS, 2023, praying to set aside the order passed in CrI.M.P.No.15 of 2026 dated 04.02.2026 on the file of learned Judicial Magistrate No.I, Mettur, and subsequently grant interim custody of the vehicle bearing registration No.TN 93 H 9226 to the petitioner and pass such further or other orders as this Honble court.

For Petitioner(s): Mr.C.Deepakkumar

For Respondent(s): Mr.R.Vinoth Raja
Government Advocate (criminal Side)



ORDER

The revision challenges the dismissal of the petitioner's application seeking return of his two-wheeler, which was seized during the course of investigation in Crime No.163 of 2025 registered for the offences under Section 4(1)(C) of the Tamil Nadu Prohibition Act.

2. It is the case of the prosecution that the accused in the said case was transporting 26 IMFL bottles of liquor for sale and thus committed the offence under Sections 4(1)(a) r/w 4(1)(C) of the Tamil Nadu Prohibition Act.

3. During the course of the investigation, the petitioner's vehicle, which was used by the accused, was seized. The petitioner sought return of vehicle, which came to be dismissed by the impugned order.

4. The learned counsel for the petitioner would submit that the petitioner is not an accused; that he is the owner of the vehicle and therefore he is entitled to interim custody of the vehicle on any stringent conditions.

5. The learned Government Advocate (Crl. Side) confirmed the fact that the petitioner is not an accused in this case and that he is the owner of the vehicle, and that confiscation proceedings have been initiated.



6. Considering the above facts and since the petitioner is the owner of the vehicle and not an accused, this Court is inclined to hand over interim custody of the vehicle to the petitioner subject to the result of the confiscation proceedings on the following conditions:

(i) The petitioner shall execute a personal bond for a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.I Mettur;

(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 Judicial Magistrate No.1, Mettur, 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.

7. Accordingly, this Criminal Revision Case stands allowed.

24-02-2026

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SUNDER MOHAN J.

cda

To

- 1.The Judicial Magistrate No.I Mettur.
- 2.The Inspector of Police,
Mettur - PEW Police Station,
Salem District.
- 3.The Public Prosecutor,
High Court, Madras.

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