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Crl.R.C.No.2279 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C.No.2279 of 2023
& Crl.M.P.No.39 of 2024

Iyyappan

...Petitioner

-Vs-

The State Rep by,
The Inspector of Police,
Orathy Police Station,
Chengalpattu District,
Cr.No.73/2022

...Respondent

PRAYER: Criminal Revision Petition is filed under Sections 397 & 401 of Cr.P.C., to call for the records relating to the order dated 27.09.2023 passed by the learned Principal Sessions Judge of Kancheepuram District at Chengalpattu in Crl.M.P.No.3318 of 2023 in Crl.M.P.No.4254 of 2022 and set aside the same.

For Petitioner : Mr.G.Mageshkumar
For Respondent : Mr.R.Vinothraja,
Government Advocate (Crl. Side)

ORDER

The Revision has been filed challenging the order directing to cancel the earlier order dated 16.12.2022, by which, the petitioner's vehicle was returned to him on the condition to surrender the original RC book.



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2.The petitioner's vehicle bearing No.TN 18 P 4849 was seized during the course of investigation in Crime No.73 of 2022 for the offences under Sections 430, 379 IPC r/w Section 21(1) of MMDR Act. The vehicle was returned by the order dated 16.12.2022 in Crl.M.P.No.4254 of 2022, with the condition to surrender the original RC book. The petitioner had complied with the said condition. Subsequently, the petitioner sought for the original RC book for the purpose of obtaining FC and paying tax of the vehicle.

3.The said RC book was returned on 23.06.2023 with a condition that it should be returned within a period of two weeks. However, the petitioner had not returned the RC book as undertaken by him. Hence, the learned Judge passed the impugned order cancelling the earlier order and directing the respondent to seize the vehicle into Court custody.

4.The learned counsel for the petitioner would submit that the petitioner had inadvertently not produced the RC Book; that he would abide by any stringent condition that may be imposed by this Court; and hence, the impugned order may be set aside.



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5.The learned Government Advocate (Crl. Side) on instructions would submit that the respondent had not seized the vehicle, though the order of the learned Magistrate was passed on 27.09.2023.

6.It is not known as to why the respondent have disobeyed the order of the learned Magistrate in not seizing the vehicle, in spite of the impugned order. The petitioner had violated the undertaking given by him before the learned Magistrate.

7.Considering the fact that the respondent themselves have not taken any action, this Court is of the view, ends of justice will be met if the following orders are passed;

(a) the petitioner shall produce both the vehicle and the RC book before the learned Magistrate, within a period of one (1) week from the date of receipt of a copy of this order;

(b) the learned Magistrate may retain the RC book;

(c) the learned Magistrate may return the vehicle on the petitioner paying a sum of Rs.30,000/- (Rupees Thirty Thousand only) as cost to the District Legal Services Authority, Chengalpattu.



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8.The Revision is disposed of accordingly. Consequently, the connected miscellaneous petition is closed.

23.01.2026

Tsg

To

- 1.The Principal Sessions Judge,
Kancheepuram District at Chengalpattu.
- 2.The Inspector of Police,
Orathy Police Station,
Chengalpattu District,
- 3.The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN, J.

Tsg

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23.01.2026