



WEB COPY

CRL MP No. 1075 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 1075 of 2026

in

CRL RC No. 2495 of 2025

Nadanam
S/o. Ganapathy,
1/40, Thillai Nagar,
Chidambaram – 608 001.

..Petitioner(s)

Vs

The State rep. By
The Inspector of Police
Periyanaickenpalayam Police Station,
Coimbatore.
Crime No.1075/2021.

..Respondent(s)

CRL RC No. 2495 of 2025

Nadanam
S/o. Ganapathy,
1/40, Thillai Nagar,
Chidambaram-608001.

..Petitioner(s)

Vs

The State rep by
The Inspector of Police
Periyanaickenpalayam Police Station,
Coimbatore. Crime No.1075/2021.

..Respondent(s)

CRL MP No. 1075 of 2026

Prayer: To modify the condition imposed in Para No.7(ii) of the order dated 21.11.2025 in CrI.R.C.No.2495 of 2025.

**CRL RC No. 2495 of 2025**

Prayer: To set aside the order passed by the learned Judicial Magistrate No.V, Coimbatore in C.M.P.No.8029/2025 in Crime No.1075/2021 dated 28.08.2025.

CRL MP No. 1075 of 2026

For Petitioner(s): Ms.A.Jagadeeswari

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

Order

The petitioner seeks the modification of the condition imposed by this Court in the above Criminal Revision, while directing the return of a vehicle, which was seized during the course of investigation in Crime No.1075 of 2021.

2.It is the case of the prosecution that the petitioner's vehicle was used by the accused in the aforesaid case for transporting the stolen goods. The petitioner sought for return of the vehicle, which came to be dismissed by the learned Magistrate by the order dated 28.08.2025. The petitioner preferred the above Revision before this Court and this Court had imposed the following conditions;

“7(ii) The petitioner shall deposit the original registration certificate of the vehicle with the concerned Magistrate”

3.The learned counsel for the petitioner would submit that the petitioner's vehicle is not required for the purpose of proving the offence against the



accused as the stolen articles have already been seized; that in view of the condition directing the petitioner to deposit the RC book, the petitioner is unable to alienate the vehicle; and that since the vehicle has become old, the petitioner is unable to maintain the vehicle and is facing severe financial hardship.

4.The learned Government Advocate (Crl. Side) *per contra* submitted that the vehicle was seized during the course of investigation and the trial is yet to be completed and the vehicle cannot be alienated until the conclusion of the trial.

5.Admittedly, the petitioner is not an accused in the case. The petitioner is the owner of the vehicle. It is not the case of the prosecution that the vehicle is required to prove the offence against the accused in Crime No.1075/2021. This Court is of the view that since the petitioner's vehicle is not required for the purpose of proving the offence, the petitioner can be permitted to alienate the vehicle. However, the petitioner shall produce the vehicle before the learned Magistrate and the learned Magistrate may ensure that photographs of the vehicle is taken and use the same for the purpose of the trial. The vehicle can thereafter be handed over to the petitioner on his executing a bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.V, Coimbatore. The RC Book



of the vehicle shall also be returned to the petitioner and the petitioner is permitted to alienate the said vehicle.

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6.The Criminal Miscellaneous Petition is accordingly ordered.

25-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

TSG

To

- 1.The Judicial Magistrate No.V, Coimbatore.
- 2.The Inspector of Police,
Periyanaickenpalayam Police Station,
Coimbatore.
- 3.The Public Prosecutor,
Madras High Court.



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SUNDER MOHAN J.

TSG

**CRL MP No. 1075 of 2026
AND
CRL RC NO. 2495 OF 2025**

25-02-2026