



Crl.R.C.(MD)No.467 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.03.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.467 of 2026

Vayakadusamy

... Petitioner/Petitioner

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
(Crime No.37 of 2021)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records and allow the Revision Petition setting aside the order dated 12.02.2026 passed in Crl.M.P.No.606 of 2026 in Crime No.37 of 2021 on the file of the Judicial Magistrate IV(FAC) Court, Madurai.

For Petitioner : Mr.S.Ramakrishnan

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.606 of 2026 in Crime No.37 of 2021 dated 12.02.2026 on the



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file of the Judicial Magistrate IV(FAC) Court, Madurai, dismissing the petition filed under Section 497 of B.N.S.S.

2. The petitioner claims to be the owner of the Hero Passion Pro Bike bearing Registration No.TN 58 AD. The respondent police has registered a case in Crime No.37 of 2021 for the offences under Sections 379 IPC and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 on 25.01.2021 and seized the above said vehicle for the illegal transportation of gravel sand. Thereafter, the petitioner filed Cr.M.P.No. 606 of 2026 for return of vehicle before the learned Judicial Magistrate IV(FAC) Court, Madurai, and the same was dismissed on 12.02.2026.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 12.02.2026 made in Cr.M.P.No.606 of 2026 on the file of the learned Judicial Magistrate IV(FAC) Court, Madurai, and to set aside the same.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent.



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5. The learned Government Advocate (Criminal side) appearing for the respondent submitted that if the vehicle is returned to the petitioner, there is possibility for the vehicle being used for the commission of similar offence and objected to grant interim custody of the vehicle to the petitioner and the petitioner is having four previous cases.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No.TN 58 AD is owned by the petitioner and he was not involved in any such offence as alleged by the respondent and if the vehicle is kept in open place, the vehicle will get deteriorated and the value of the vehicle would automatically stand diminished and that therefore interim custody may be granted to the petitioner.

7. Considering the fact that if the vehicle is kept in open place exposing to sun and rain, the value of the vehicle will be deteriorated and no purpose will be served in keeping the vehicle in custody, this Court is inclined to allow the revision and thereby setting aside the impugned



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order dated 12.02.2026 passed in Crl.M.P.No.606 of 2026 by the learned Judicial Magistrate IV(FAC) Court, Madurai.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 12.02.2026, passed in Crl.M.P.No.606 of 2026 by the learned Judicial Magistrate IV(FAC) Court, Madurai, is hereby set aside and the vehicle viz., Hero Passion Pro Bike bearing Registration No.TN 58 AD, is ordered to be returned to the petitioner for interim custody subject to the confiscation proceedings to be taken by the concern Department or by the Court on the following conditions:-

(a) the petitioner is directed to deposit a sum of Rs.20,000/-

(Rupees Twenty Thousand only) as non-refundable to the credit of WAA Cornelia Sorabjee Lecture Series, A/C No.6687756541, IFSC Code:IDIB000H040;

(b) the petitioner shall execute a bond for a sum of **Rs.**

20,000/- (Rupees Thirty Thousand only), with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate IV(FAC) Court, Madurai;

(c) The petitioner shall produce the copy of RC Book of the



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vehicle before the learned Judicial Magistrate IV(FAC)
Court, Madurai.

- (d) the petitioner shall give an undertaking before the respondent/ authority concerned stating that he will not use the vehicle in question for any illegal activities in future, failing which the respondent/trial Court is at liberty to confiscate the vehicle;
- (e) the petitioner shall not alienate and shall not make any alteration in the vehicle;
- (f) the petitioner shall produce the vehicle before the learned Trial Court once in a month i.e, on 1st Monday of every English calendar month;

12.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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L.VICTORIA GOWRI ,J.

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To

- 1.The Judicial Magistrate IV(FAC) Court,
Madurai.
- 2.The Inspector of Police,
Subramaniyapuram Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.467 of 2026

Dated: 12.03.2026