



*Crl.R.C.(MD)No.637 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2026

CORAM

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

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Madurai Veeran

... Petitioner

Vs.

State of Tamil Nadu rep. by  
The Inspector of Police,  
Batlagundu Police Station,  
Dindigul District.  
(Crime No.307 of 2025)

... Respondent/Complainant

**PRAYER :** Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records and set aside the order in Crl.M.P.No. 1042 of 2025 dated 24.11.2025 on the file of Judicial Magistrate Court, Nilakottai allow above criminal revision direct release of Vehicle bearing register No.TNB 4181.

For Petitioner : Mr.A.Karthick Kumar

For Respondent : Mr.S.Ravi  
Additional Public Prosecutor

**ORDER**

The Criminal Revision is directed against the order passed in Crl.MP.No.1042 of 2025 in Crime No.307 of 2025 dated 24.11.2025 on



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the file of the Judicial Magistrate Court, Nilakottai, dismissing the petition filed under Section 497 of B.N.S.S.

2. The petitioner claims to be the owner of the Massey Ferguson 35 Tractor Engine bearing Registration No.TNB 4181. The respondent police has registered a case in Crime No.307 of 2025 for the offences under Sections 303(2) BNS and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 and seized the above said vehicle for the illegal transportation of river sand. Thereafter, the petitioner filed Crl.MP.No.1042 of 2025 for return of vehicle before the learned Judicial Magistrate Court, Nilakottai, and the same was dismissed on 24.11.2025.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 24.11.2025 made in Crl.MP.No.1042 of 2025 on the file of the learned Judicial Magistrate Court, Nilakottai, and to set aside the same.



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4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. The learned Additional Public Prosecutor 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.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No.TNB 4181 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.



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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 order dated 24.11.2025 passed in Crl.M.P.No.1042 of 2025 by the learned Judicial Magistrate Court, Nilakottai.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 24.11.2025, passed in Crl.M.P.No.1042 of 2025 by the learned Judicial Magistrate Court, Nilakottai, is hereby set aside and the vehicle viz., Massey Ferguson 35 Tractor Engine bearing Registration No.TNB 4181, 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.50,000/-

(Rupees Fifty Thousand only) as non-refundable to the credit of the Aishwaryam Trust, Indian Bank, Tirunagar Branch, Madurai, Account No.6639017788, IFSC Code: IDIB000T032;



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- (b) the petitioner shall execute a bond for a sum of **Rs. 1,50,000/- (Rupees One Lakh and Fifty Thousand only)**, with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate Court, Nilakottai;
- (c) The petitioner shall produce the copy of RC Book of the vehicle before the learned Judicial Magistrate Court, Nilakottai. If the original RC Book is in the custody of the finance company, the petitioner shall produce a photocopy of the RC Book, along with an affidavit stating that the original is with the finance company and a letter from the finance company acknowledging such custody.
- (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;



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(f) the petitioner shall produce the vehicle before the learned Trial Court once in a month i.e, on 1<sup>st</sup> Monday of every English calendar month;

**10.04.2026**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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To

- 1.The Judicial Magistrate Court,  
Nilakottai.
- 2.The Inspector of Police,  
Batlagundu Police Station,  
Dindigul District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**L.VICTORIA GOWRI ,J.**

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Order made in  
CrI.R.C.(MD)No.637 of 2026

Dated: 10.04.2026