



Crl.R.C.(MD)No.762 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.762 of 2026

Sasikumar

... Petitioner/Petitioner

Vs.

1.The State of Tamil Nadu rep. by
The Inspector of Police,
Ponnamaravathi Police Station,
Pudhukottai District.
(Crime No.140 of 2025)

... Respondent/Complainant

2.Rose Anand

3.The Branch Manager,
Sriram Finance Ltd,
2nd Floor, No.45301, SRCR Complex,
Karaikudi Road, Thiruppathur,
Sivagangai District.

...Respondents

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records pertaining to the order passed in Crl.M.P.No.4 of 2026 dated 25.03.2026 on the file of the learned Judicial Magistrate cum District Munsif, Ponnammaravathi, Pudhukottai District and set aside the same and consequently direct the 1st respondent to release and handover the vehicle (Tipper Lorry) Registration Number bearing TN 74 BH 6729 to the petitioner.



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For Petitioner : Mr.S.Ayyanar Prem Kumar
For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.4 of 2026 in Crime No.140 of 2025 dated 25.03.2026 on the file of the Judicial Magistrate cum District Munsif, Ponnammavathi, Pudhukottai District, dismissing the petition filed under Section 497 of B.N.S.S.

2. The petitioner claims to be the owner of the Tipper Lorry bearing Registration No.TN 74 BH 6729. The respondent police has registered a case in Crime No.140 of 2025 for the offences under Sections 303(2) of BNS r/w 21(1) MMDR Act and seized the above said vehicle for the illegal transportation of gravel sand. Thereafter, the petitioner filed Crl.M.P.No.4 of 2026 for return of vehicle before the learned Judicial Magistrate cum District Munsif, Ponnammavathi, Pudhukottai District, and the same was dismissed on 25.03.2026.



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3. The petitioner preferred this Criminal Revision Petition as against the order dated 25.03.2026 made in Crl.M.P.No.4 of 2026 on the file of the learned Judicial Magistrate cum District Munsif, Ponnammavathi, Pudhukottai District, 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.

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.

6. The learned counsel appearing for the petitioner would submit that the vehicle bearing Registration No. TN 74 BH 6729 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



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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 25.03.2026 passed in Crl.M.P.No.4 of 2026 by the learned Judicial Magistrate cum District Munsif, Ponnammaraavathi, Pudhukottai District.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 25.03.2026, passed in Crl.M.P.No.4 of 2026 by the learned Judicial Magistrate cum District Munsif, Ponnammaraavathi, Pudhukottai District, is hereby set aside and the vehicle viz., Tipper Lorry bearing Registration No.TN 74 BH 6729, 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.



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1,00,000/- (Rupees One Lakh only) as non-refundable to the credit of MANOLAYA, Bank Name: INDIAN OVERSEAS BANK, A/c No:025302000000284, A/c Name: MANOLAYA, Branch: Kottaram, IFSC code: IOBA0000253;

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

4,00,000/- (Rupees Four Lakh only), with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate cum District Munsif, Ponnammaraavathi, Pudhukottai District;

(c) The petitioner shall produce the copy of RC Book of the vehicle before the learned Judicial Magistrate cum District Munsif, Ponnammaraavathi, Pudhukottai District.

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



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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;

29.04.2026

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

1.The Judicial Magistrate cum District Munsif,
Ponnammaravathi, Pudhukottai District.

2.The Inspector of Police,
Ponnammaravathi Police Station,
Pudhukottai 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
Crl.R.C.(MD)No.762 of 2026

Dated: 29.04.2026