



Crl.R.C.(MD)No.810 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.810 of 2026

Padmini

... Petitioner/Petitioner

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
(Crime No.290 of 2024)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records connected with the impugned order passed in Crl.M.P.No.747 of 2025 dated 06.04.2026 on the file of the Learned District Munsif cum Judicial Magistrate, Vilathikulam and set aside the same as illegal consequently direct the respondent to grant interim custody of the petitioner's vehicle TATA Vista car bearing registration No.TN 38 AW 1598 to the petitioner in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondent : Mr.A.Arun Arockiasamy
Government Advocate (Crl. Side)



Crl.R.C.(MD)No.810 of 2026

WEB COPY

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.747 of 2025 in Crime No.290 of 2024 dated 06.04.2026 on the file of the District Munsif cum Judicial Magistrate, Vilathikulam, dismissing the petition filed under Section 497 of B.N.S.S.

2. The petitioner claims to be the owner of the TATA Vista Car bearing Registration No.TN 38 AW 1598. The respondent police has registered a case in Crime No.290 of 2024 for the offences under Sections 296(b), 115(2), 351(3) of BNSS and seized the above said vehicle for allegedly slapped the defacto complainant. Thereafter, the petitioner filed Cr.M.P.No.747 of 2025 for return of vehicle before the learned District Munsif cum Judicial Magistrate, Vilathikulam and the same was dismissed on 06.04.2026.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 06.04.2026 made in Cr.M.P.No.747 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Vilathikulam, and to set aside the same.



Crl.R.C.(MD)No.810 of 2026

WEB COPY

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 38 AW 1598 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.



Crl.R.C.(MD)No.810 of 2026

WEB COPY

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 06.04.2026 passed in Crl.M.P.No.747 of 2025 by the learned District Munsif cum Judicial Magistrate, Vilathikulam.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 06.04.2026, passed in Crl.M.P.No.747 of 2025 by the learned District Munsif cum Judicial Magistrate, Vilathikulam, is hereby set aside and the vehicle viz., TATA Vista Car bearing Registration No.TN 38 AW 1598, 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.75,000/-

(Rupees Seventy Five Thousand only) as non-refundable to the credit of MANGAYAR MANGALAM, A/c No: 12730100005505, Egmore Branch, Chennai, IFSC code: BARB0EGMORE, an organisation contributing towards



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Crl.R.C.(MD)/No.810 of 2026

underprivileged women and children;

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

2,00,000/- (Rupees Two Lakhs only), with two sureties

for a likesum to the satisfaction of the learned District

Munsif cum Judicial Magistrate, Vilathikulam;

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

vehicle before the learned District Munsif cum Judicial

Magistrate, Vilathikulam. 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



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Crl.R.C.(MD)No.810 of 2026

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;

01.06.2026

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

- 1.The District Munsif cum Judicial Magistrate,
Vilathikulam.
- 2.The Inspector of Police,
Vilathikulam Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C.(MD)No.810 of 2026

L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.810 of 2026

Dated: 01.06.2026