



Crl.R.C.(MD)No.829 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.829 of 2026

Rajeshwaran

... Petitioner/Petitioner

Vs.

State of Tamil Nadu rep. by
The Inspector of Police,
Gandavakkottai Police Station,
Pudukkottai District.
(Crime No.80 of 2026)

... Respondent

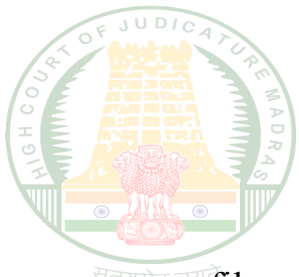
PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records and set aside the order passed in CrI.M.P. No.326 of 2026 by The Learned District Munsif Cum Judicial Magistrate, Gandavakottai, dated 22.04.2026 and order interim custody of the bearing registration No.TN 34 AD 3619.

For Petitioner : Ms.A.Banumathy

For Respondent : Mr.D.Rajaboopathy
Government Advocate (Crl. Side)

ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.326 of 2026 in Crime No.80 of 2026 dated 22.04.2026 on the



Crl.R.C.(MD)No.829 of 2026

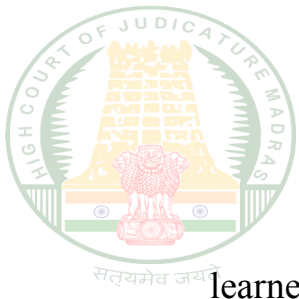
WEB COPY

file of the District Munsif Cum Judicial Magistrate, Gandarvakottai,
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 34 AD 3619. The respondent police has registered a case in Crime No.80 of 2026 for the offences under Sections 303(2) BNSS r/w. 21(1) 21(2) of Mines and Minerals (Development and Regulation) Act, 1957 on 29.03.2026 and seized the above said vehicle for the illegal transportation of gravel sand. Thereafter, the petitioner filed Cr.M.P.No.326 of 2026 for return of vehicle before the learned District Munsif Cum Judicial Magistrate, Gandarvakottai, and the same was dismissed on 22.04.2026.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 22.04.2026 made in Cr.M.P.No.326 of 2026 on the file of the learned District Munsif Cum Judicial Magistrate, Gandarvakottai, and to set aside the same.

4. Heard the learned counsel appearing for the petitioner and the



Crl.R.C.(MD)/No.829 of 2026

learned Government Advocate (Crl. Side) appearing for the respondent.

WEB COPY

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 34 AD 3619 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



Crl.R.C.(MD)/No.829 of 2026

WEB COPY

inclined to allow the revision and thereby setting aside the impugned order dated 22.04.2026 passed in Crl.M.P.No.326 of 2026 by the learned District Munsif Cum Judicial Magistrate, Gandarvakottai.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 22.04.2026, passed in Crl.M.P.No.326 of 2026 by the learned District Munsif Cum Judicial Magistrate, Gandarvakottai, is hereby set aside and the vehicle viz., Tipper Lorry bearing Registration No.TN 34 AD 3619, 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.

1,00,000/- (Rupees One Lakh only) as non-refundable to the credit of MANGAYAR MANGALAM, A/c No: 12730100005505, Egmore Branch, Chennai, IFSC code: BARB0EGMORE, an organisation contributing towards underprivileged women and children;

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

4,00,000/- (Rupees Four Lakhs only), with two sureties



WEB COPY



Crl.R.C.(MD)/No.829 of 2026

for a likesum to the satisfaction of the learned District
Munsif Cum Judicial Magistrate, Gandarvakottai;

- (c) The petitioner shall produce the copy of RC Book of the vehicle before the learned District Munsif Cum Judicial Magistrate, Gandarvakottai. 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;
- (f) the petitioner shall produce the vehicle before the learned Trial Court once in a month i.e, on 1st Monday



WEB COPY



Crl.R.C.(MD)No.829 of 2026

of every English calendar month;

01.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gbg

To

- 1.The District Munsif Cum Judicial Magistrate,
Gandarvakottai.
- 2.The Inspector of Police,
Gandarvakkottai Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD)No.829 of 2026

L.VICTORIA GOWRI ,J.

gbg

Order made in
Crl.R.C.(MD)No.829 of 2026

Dated: 01.06.2026