



Crl.R.C.(MD)No.873 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **02.06.2026**

CORAM:

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

Crl.R.C.(MD)No.873 of 2026

Sasikumar

... Petitioner

Vs.

The State of Tamilnadu,
Rep. By the Sub Inspector of Police,
Thiruvonam Police Station,
Thanjavur District.
Crime No.205 of 2025

... Respondent

PRAYER : Revision filed under Section 438 r/w 442 of BNSS, 2023 to call for the records and set aside the order passed in Crl.M.P.No.4527 of 2025 on the file of the District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District dated 08.01.2026 and order interim custody of Hero Splendor Plus Two Wheeler bearing Registration No.TN 55 CR 0781 seized by the respondent on 27.10.2025.

For Petitioner : Mr.R.Jegadeedwaran

For Respondent : Mr.D.Rajaboopathy

Counsel for State of TN



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ORDER

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This Criminal Revision Petition is filed to set aside the order of the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, in Crl.M.P.No.4527 of 2025 dated 27.10.2025 filed by the petitioner under Section 497 of BNSS of 2023.

2. The case of the prosecution is that the respondent filed an FIR in Crime No.205 of 2025 for an alleged offence under Sections 4(1)(A), 4(1)(C) and 4(1-A)(ii) of the Tamil Nadu Prohibition (Amendment) Act, 2024, for illegal transport of liquor through Hero Splendor Plus Two Wheeler bearing Registration No.TN 55 CR 0781. Subsequently, the petitioner's vehicle was seized. Thereafter, the petitioner filed Crl.M.P.No.4527 of 2025 for the return of vehicle before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, and the same was dismissed on 08.01.2026.

3. The petitioner preferred this Criminal Revision Petition as against the order dated 08.01.2026 made in Crl.M.P.No. 4527 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, and to set aside the same.



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4. Heard the learned counsels on either side and carefully perused the materials available on record.

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 55 CR 0781 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 therefore interim custody of the vehicle 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 that no purpose will be served in keeping the vehicle in custody, this Court is inclined to allow the revision thereby, setting aside the impugned order dated 08.01.2026 passed



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in CrI.M.P.No.4527 of 2025 by the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District.

8. Accordingly, this Criminal Revision Case is allowed and the order dated 08.01.2026, passed in CrI.M.P.No. 4527 of 2025 by the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District, is hereby set aside and the vehicle viz., Hero Splendor Plus Two Wheeler bearing Registration No.TN 55 CR 0781, is ordered to be returned to the petitioner for interim custody subject to the confiscation proceedings to be taken by the concerned Department or by the Court on the following conditions:-

(a) The petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) as non-refundable deposit for the said vehicle to the credit of Mangayar Mangalam, an organization contributing towards underprivileged women and children, A/C No.12730100005505, Branch: Egmore Branch, Chennai, IFSC Code:BARB0EGMORE;

(b) The petitioner shall execute a bond for a sum of Rs.45,000/- (Rupees Forty Five Thousand only), with two sureties for a likesum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur District;

(c) The petitioner shall produce the original RC Book of the vehicle



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before the learned District Munsif cum Judicial Magistrate, Orathanadu, Thanjavur 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 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 Trial Court once in a month i.e, on 1st Monday of every English calendar month.

02.06.2026

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 03.06.2026.



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L.VICTORIA GOWRI, J.

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TO:-

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

Order made in
CrI.R.C.(MD)No.873 of 2026

Dated
02.06.2026