

CrI.OP.(MD)No.11399 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.06.2026

CORAM :

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

CrI.OP.(MD)No.11399 of 2026

Umamaheswari

...Petitioner

Vs

1. The State of Tamilnadu
Rep by
The Sub Inspector of Police
Namanasamuthiram Police station
Pudukkottai District.
Cr.No.59/2025.

2. The Branch Manager
Sriram Insurance Company Ltd
Thirumayam Branch
Thirumayam Taluk
Pudukkottai District.

...Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of BNSS Act, to set aside the order in Cr.R.P.No.34 of 2025 dated 20.04.2026 on the file of the Learned Principal District and Sessions Judge, Pudukkottai and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances.

For Petitioner : M/s.M.Ramu

For Respondents : Mr.B.Arun
Counsel for State of TN (crl.side)
for R1



CrI.OP.(MD)No.11399 of 2026

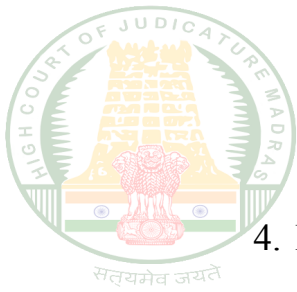
ORDER

WEB COPY

The present petition has been filed seeking to set aside the order passed by the learned the Principal District and Sessions Judge, Pudukottai in CrI.R.P.No.34 of 2025 dated 20.04.2026, wherein the request of the petitioner for return of vehicle has been rejected.

2. A perusal of the records reveal that the petitioner, who is the owner of the vehicle (not an accused in Crime No.59 of 2025), had filed the said application seeking the return of the vehicle, which was seized by the respondent police for the offence committed under Section 21(4) of the Mines and Minerals (Development and Regulation) Act, 1957. The trial Court dismissed the said application on the ground that, if the vehicle is handed over to her, she is likely to commit an offence in future. Challenging the same, the present petition has been filed.

3. According to the learned Counsel appearing for the petitioner, the order of the trial Court is not legally sustainable, the petitioner is ready to abide by any conditions imposed by this Court.



CrI.OP.(MD)No.11399 of 2026

4. Heard the learned Counsels appearing on either side and perused the materials available on record.

5. As far as the grant of interim custody is concerned, the same cannot be rejected on the mere presumption that the petitioner is likely to commit an offence in the future. There is no specific allegation against the petitioner to show that she is a habitual offender in such offence.

6. In such view of the matter, the impugned order is set aside and the vehicle is directed to be release on interim custody and handed over to the petitioner on condition that she should produce the vehicle as and when directed by the trial Court.

7. With the said observations, this Criminal Original Petition is allowed.

17.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
gyn



WEB COPY



Crl.OP.(MD)No.11399 of 2026

R.VIJAYAKUMAR, J.

gyn

To:-

1. The Principal District and Sessions Judge, Pudukottai.

2. The Sub Inspector of Police
Namanasamuthiram Police station
Pudukkottai District.
Cr.No.59/2025.

3. The Branch Manager
Sriram Insurance Company Ltd
Thirumayam Branch
Thirumayam Taluk
Pudukkottai District.

Copy to:-

The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.OP.(MD)No.11399 of 2026

17.06.2026