



Crl.OP(MD)Nos.17410,6488,14056 of 2025 & 14242 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 27.02.2026

PRONOUNCED ON : 01.06.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P.(MD).Nos.17410, 6488, 14056 of 2025 & 14242 of 2024
and
Crl.M.P.(MD)Nos.8836 of 2024, 11292, 11294 and 14139 of 2025
Crl.O.P.(MD).No.17410 of 2025

S. Raja

... Petitioner/Accused

Vs.

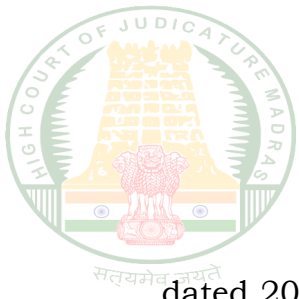
1. Samhitha

.... Respondent / Petitioner

2. The State of Tamilnadu,
Rep. by the Inspector of Police,
Pettai Police Station,
Tirunelveli City,
Tirunelveli District.
(Crime No. 178 of 2024)

.... Respondent / Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertains to the order passed in Crl.RC.No.29 of 2024 dated 18.12.2024, on the file of the 3rd Additional Sessions Judge, Tirunelveli, in Crl.MP.No.13503 of 2024,



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dated 20.09.2024, on the file of Judicial Magistrate No.5, Tirunelveli,
and set aside the same.

For Petitioners : Mr. J. Jeyakumaran
For R-1 : Mr.S.Ravi,
Additional Public Prosecutor

Crl.O.P.(MD).No.6488 of 2025

Samhitha ... Petitioner/Accused

Vs.

The State of Tamilnadu,
Rep by. the Inspector of Police,
Pettai Police Station,
Tirunelveli,
Tirunelveli District.

.... Respondent / Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the order passed by the learned Judicial Magistrate No.V, Tirunelveli District in Crl M.P.No.13503 of 2024 dated 20.09.2024 which has been modified by the learned III Additional District and Sessions Judge, Tirunelveli in Crl RC.No.29 of 2024 vide order dated 18.12.2024 and consequently direct the respondent to release the petitioner's vehicle namely MG-Hector bearing its registration No.TN 06 AB 5099.

For Petitioner : Mr. P.Samuel Gunasingh
For Respondent : Mr.S.Ravi,
Additional Public Prosecutor



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Crl.O.P.(MD).No.14056 of 2025

S. Raja

... Petitioner/Petitioner

Vs.

1. Samhitha

2. The State of Tamilnadu,
Rep by. the Inspector of Police,
Pettai Police Station,
Tirunelveli City,
Tirunelveli District.
(Crime No. 178 of 2024)

.... Respondent /Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the order passed in Crl.RC.No.6 of 2025 dated 14.07.2025, on the file of 3rd Additional District Judge, Tirunelveli and set aside the same.

For Petitioner : Mr. J. Jeyakumaran

For R-1 : Mr.M.Sakthi Kumar,
Government Advocate (Crl. side)

For R-2 : Mr.P.Samuel Gunasingh

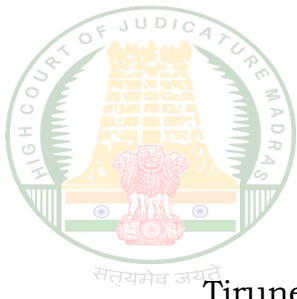
Crl.O.P.(MD).No.14242 of 2024

S.Raja @ Vanniaraja

... Petitioner/Accused

Vs.

1. The State of Tamilnadu,
Rep by. the Inspector of Police,
Pettai Police Station,
Tirunelveli City,



Crl.OP(MD)Nos.17410,6488,14056 of 2025 & 14242 of 2024

Tirunelveli District.
(Crime No. 178 of 2024)

.... Respondent / Complainant

2. Mohamed Ibrahim Bassuludin

.... Respondent /
Defacto Complainant

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to call for the records pertaining to the FIR in Crime No. 178 of 2024 on the file of the 1st respondent police and quash the same as illegal as far as the petitioners concerned.

For Petitioner : Mr. J.Jeyakumaran

For R-1 : Mr.S.Ravi,
Additional Public Prosecutor

For R-2 : Mr.R.L.Dhilipan Pandian

COMMON ORDER

These four Criminal Original Petitions, though clothed in different prayers, arise out of one and the same factual nucleus, namely, the competing claims over the custody and ownership of an MG Hector car bearing Registration No.TN 06 AB 5099, and the criminal investigation in Crime No.178 of 2024 on the file of the Pettai Police Station, Tirunelveli City. The *lis* has travelled through the learned Judicial Magistrate No.V, Tirunelveli, the learned III



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Additional District and Sessions Judge, Tirunelveli, and has now reached this Court through a cluster of petitions invoking the inherent jurisdiction of this Court under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Crl.O.P.(MD) No.6488 of 2025 has been filed by Samhitha, the registered owner of the vehicle, seeking to set aside the condition imposed in Crl.R.C.No.29 of 2024, whereby she was directed to obtain a “Vehicle Not Traced” certificate in respect of the original RC book before interim custody of the vehicle could be granted to her.

3. Crl.O.P.(MD) No.17410 of 2025 has been filed by S.Raja @ Vanniaaja, as a third party, challenging the order passed in Crl.R.C.No.29 of 2024, whereby the revisional Court modified the conditions and virtually preserved the right of Samhitha to seek interim custody of the vehicle on compliance of the modified conditions.

4. Crl.O.P.(MD) No.14242 of 2024 has been filed by the said S.Raja @ Vanniaraja seeking to quash the FIR in Crime No.178 of



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2024, originally registered for the offence under Section 303(2) of the Bharatiya Nyaya Sanhita, 2023.

5. Crl.O.P.(MD) No.14056 of 2025 has been filed by the very same Raja @ Vanniaraja challenging the order passed in Crl.R.C.No. 6 of 2025, whereby the revisional Court dismissed his challenge against the rejection of his application for return of the very same vehicle.

6. Since the controversy in all these petitions is inseparably intertwined, all the petitions are taken up together and disposed of by this common order.

Case of the Prosecution:

7. The prosecution case, as projected in the FIR and the subsequent status report filed by the respondent police, is that on 28.07.2024, one Mohamed Ibrahim Basuludeen lodged a complaint before the Pettai Police Station. According to him, one Durai informed him that Saravanan from Chennai was in urgent need of money and that Saravanan's daughter, Samhitha, owned an MG



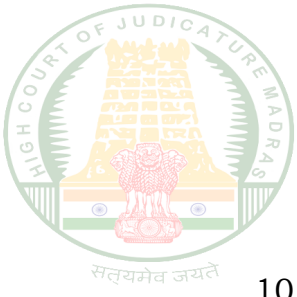
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Hector red colour car bearing Registration No.TN 06 AB 5099. Durai allegedly pledged the vehicle with the complainant on 30.04.2024 for a sum of Rs.6,00,000/-.

8. The complainant further alleged that he had parked the vehicle on 14.07.2024 at the premises of his friend Radhakrishnan at Kodeeswaran Nagar, Pettai, and that the RC book was kept inside the car. On 15.07.2024, the vehicle was found missing. On enquiry, he was informed that Saravanan had money dealings with Raja @ Vanniaraja in respect of the same vehicle and that Raja might have taken away the car. Thereupon, Crime No.178 of 2024 came to be registered under Section 303(2) BNS.

9. During investigation, the police found that the vehicle was purchased on 17.02.2022 in the name of Samhitha by availing loan from YES Bank and that, as per the official records of the State Transport Department, the vehicle continued to stand in the name of Samhitha and no lawful transfer had been effected in favour of Raja or any third party.



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10. The investigation further revealed that on 01.09.2023, Samhitha's father, with her permission and while the YES Bank loan was still pending, pledged the car to one Duraisingam for Rs.6,00,000/-. At that time, the car, original RC, two keys and one cheque in the name of Samhitha were allegedly handed over to Duraisingam. Bank transactions were also traced from the account of Shakkir, friend of Duraisingam, to the KVB account of Samhitha.

11. According to the police, on 17.09.2023, Duraisingam and Udaya handed over the vehicle to Raja @ Vanniaraja after receiving Rs.7,00,000/-. The police further rely upon bank transactions from the account of Aishwarya, daughter of Raja, to the account of Udayakumar. Thereafter, the vehicle allegedly moved through Thameem Ansari, Udayakumar, Meganathan, Duraisingam and ultimately to the complainant Mohamed Ibrahim Basuludeen, before it was taken away from Radhakrishnan's premises at Kodeeswaran Nagar.

12. The police have further stated that an RC book received by post, purportedly relating to vehicle No.TN 06 AB 5099, was verified



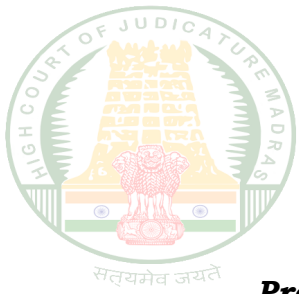
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with the Regional Transport Officer and was found to relate to another vehicle bearing Registration No.TN 24 AP 5307. On that basis, the police suspect fabrication of documents.

13. Pursuant to the earlier order of this Court dated 31.10.2025, the police were directed to ascertain two aspects: firstly, whether the allegations in the FIR are true; and secondly, whether the documents allegedly executed by Samhitha in favour of Raja for transfer of the vehicle are forged.

14. The status report filed thereafter states that Samhitha denied having executed any sale or transfer documents in favour of Raja. The report further states that Raja did not properly cooperate with the investigation and that the original documents required for forensic comparison were not produced in time. It is also stated that the offences were thereafter altered from Section 303(2) BNS to Sections 303(2), 317(2), 318(4), 336(3), 339, 340 and 341 BNS.



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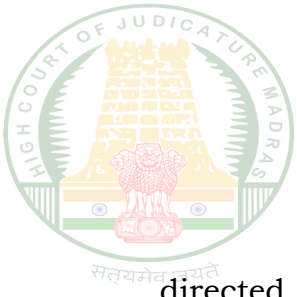
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Proceedings before the Courts Below:

15. Saravanan, father of Samhitha, filed Cr.M.P.No.12757 of 2024 seeking return of the vehicle. Raja @ Vanniaraja also filed Cr.M.P.No.12778 of 2024 seeking interim custody of the very same vehicle. Both petitions were dismissed by the learned Judicial Magistrate on the ground that the rival claims involved disputed questions of ownership and genuineness of documents, which could not be conclusively adjudicated in a petition for interim custody.

16. Thereafter, Samhitha filed Cr.M.P.No.13503 of 2024 before the learned Judicial Magistrate No.V, Tirunelveli, seeking return of the vehicle. The learned Magistrate allowed the petition on 20.09.2024, subject to conditions including execution of bond for Rs. 30,00,000/- and production of the original RC book.

17. Aggrieved by the onerous conditions, Samhitha filed CrI.R.C.No.29 of 2024 before the learned III Additional District and Sessions Judge, Tirunelveli. The revisional Court modified the condition relating to bond amount from Rs.30,00,000/- to Rs.10,00,000/- each by the petitioner and two sureties and further



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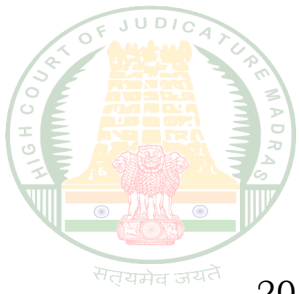
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directed Samhitha to obtain a “Vehicle Not Traced” certificate in respect of the original RC book, and thereafter to produce the duplicate RC book before the trial Court.

18. Raja @ Vanniaraja challenged the dismissal of his application for return of vehicle by filing Crl.R.C.No.6 of 2025, which was dismissed on 14.07.2025 on the ground that no sufficient material was placed to interfere with the order of the learned Magistrate.

Grounds in Crl.O.P.(MD) No.14242 of 2024:

19. Raja @ Vanniaraja seeks quashment of Crime No.178 of 2024 contending that the FIR is an abuse of process of law. He asserts that Samhitha sold the vehicle to him on 30.07.2023 for Rs.7,00,000/- and handed over the original RC book, sale receipt, delivery note, RTO name transfer forms and insurance transfer forms. He further contends that the *defacto* complainant is only a third party and has no locus to lodge the complaint.



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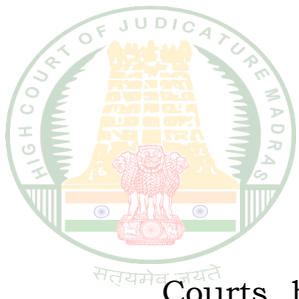
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20. He also raises the ground of delay by contending that the alleged occurrence took place on 15.07.2024, whereas the complaint was lodged only on 28.07.2024. He further contends that he was in Chennai on the date of occurrence and had produced metro train ticket, marriage function photographs and movie ticket to the police. According to him, the ingredients of Section 303(2) BNS are not attracted.

Grounds in Crl.O.P.(MD) No.6488 of 2025:

21. Samhitha contends that she is the registered owner of the vehicle and that the vehicle stands in her name as per the records of the Transport Department. She further contends that the loan availed from YES Bank has been fully discharged and the bank has issued a no-due certificate. According to her, the direction to obtain a “Vehicle Not Traced” certificate has become unworkable since the police have not issued such certificate on the ground that investigation is pending.

22. She submits that when the prosecution itself proceeds on the footing that the RC book was missing along with the vehicle, the



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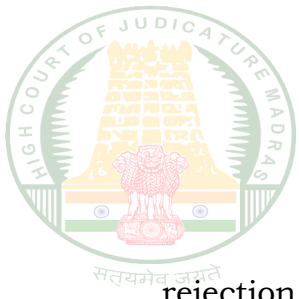
Courts below ought not to have imposed a condition which is impossible of compliance. She therefore seeks release of the vehicle without insisting upon the “Vehicle Not Traced” certificate.

Grounds in Crl.O.P.(MD) No.17410 of 2025:

23. Raja, as third party, challenges the order in Crl.R.C.No.29 of 2024 contending that he is the true purchaser of the vehicle. According to him, the Courts below failed to consider the sale agreement, authorization letter, insurance transfer form, delivery note, sale receipt, Form 29 and Form 30. He further contends that the direction enabling Samhitha to obtain a non-traceable certificate and secure interim custody would defeat his claim over the vehicle. His principal submission is that when ownership itself is in dispute, the vehicle ought not to have been released in favour of Samhitha merely because the RC stands in her name.

Grounds in Crl.O.P.(MD) No.14056 of 2025:

24. Raja further challenges the order passed in Crl.R.C.No.6 of 2025 confirming the dismissal of his application for return of the vehicle. He reiterates that he has original documents and that the



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rejection of his claim by the Courts below is erroneous. He seeks setting aside of the order in Crl.R.C.No.6 of 2025 and interim custody of the vehicle.

Submissions on Either Side:

25. The learned counsel appearing for Samhitha would submit that the vehicle continues to stand in her name in the official RTO records. It is further submitted that the loan due to YES Bank has been cleared and therefore no hypothecation claim survives. According to the learned counsel, the vehicle is lying in the police station exposed to sun and rain and its value is diminishing day by day.

26. The learned counsel would further submit that the direction to obtain a “Vehicle Not Traced” certificate has placed Samhitha in a legal cul-de-sac. The police are not issuing such certificate because investigation is pending; the Court below has directed production of such certificate as a pre-condition; and the vehicle continues to deteriorate. Hence, this Court must remove the



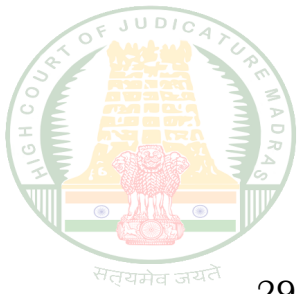
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impossible condition and order release of the vehicle to Samhitha on appropriate safeguards.

27. Per contra, the learned counsel appearing for Raja @ Vanniaraja would submit that Samhitha had already sold the vehicle to Raja and that he is in possession of transfer documents. It is contended that the complainant is not the owner of the vehicle and that the very registration of the FIR is tainted by mala fides. The learned counsel would submit that the allegations, even if taken at face value, do not constitute theft under Section 303 BNS, since the vehicle had already been transferred to Raja.

28. The learned counsel for Raja would further submit that the case is purely civil in nature and that the criminal law has been set in motion only to recover a vehicle involved in private money dealings. Therefore, the FIR deserves to be quashed and the orders refusing custody to Raja and enabling custody in favour of Samhitha deserve to be set aside.



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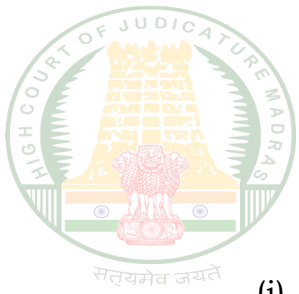
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29. The learned Additional Public Prosecutor would submit that investigation has revealed not merely a simple theft, but a chain of transactions involving pledge, re-pledge, possession, suspected forged documents and dishonest retention of a vehicle belonging to Samhitha. It is further submitted that the official RTO records continue to show Samhitha as the registered owner and that no legal transfer has taken place in favour of Raja.

30. The learned Additional Public Prosecutor would further submit that the alleged RC document received through post was found to be fake, as it related to another vehicle bearing Registration No.TN 24 AP 5307. It is also submitted that Samhitha has denied execution of any transfer documents in favour of Raja and that the investigation has now been expanded to include offences of receiving stolen property, cheating and forgery under the relevant provisions of BNS.

Points for Consideration:

31. The following points arise for consideration:



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(i) Whether the FIR in Crime No.178 of 2024 is liable to be quashed at the threshold?

(ii) Whether the allegations and materials collected during investigation disclose the ingredients of Sections 303(2), 317(2), 318(4), 336(3), 339, 340 and 341 BNS?

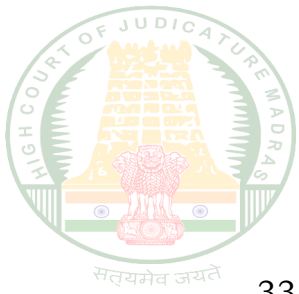
(iii) Whether Raja @ Vanniaraja is entitled to interim custody of the vehicle?

(iv) Whether Samhitha is entitled to interim custody of the vehicle?

(v) Whether the condition imposed in Crl.R.C.No.29 of 2024 requiring Samhitha to produce a “Vehicle Not Traced” certificate requires interference?

Governing Principles:

32. The inherent power of this Court under Section 528 BNSS is undoubtedly wide, but its width is matched by judicial restraint. At the stage of FIR, this Court does not conduct a mini trial, does not weigh disputed documents as though sitting in civil jurisdiction, and does not adjudicate title finally.



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33. The test is whether the allegations, taken at their face value and read along with the materials collected during investigation, disclose commission of cognizable offences. If they do, the investigation must ordinarily be permitted to reach its logical conclusion.

34. In matters concerning interim custody of vehicles, the Court is guided by two complementary principles. One, the vehicle must not be allowed to decay in police custody. Two, interim custody is only possessory and protective; it does not confer title. The person to whom custody is granted holds the property as custodian of the Court and must produce it whenever required.

Section-specific Analysis:

Section 303 BNS – Theft:

35. Section 303 BNS deals with theft. Its essential ingredients are: dishonest intention, moving of movable property, such moving being out of the possession of any person, and absence of consent. In the present case, the FIR alleges that the vehicle was parked by the complainant in the premises of Radhakrishnan and was thereafter



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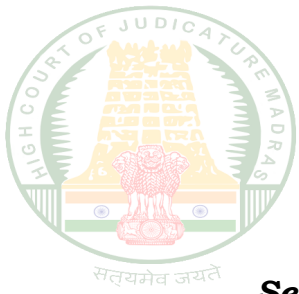
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found missing. The complainant claims that the vehicle was in his possession pursuant to pledge. The vehicle was subsequently recovered during investigation. These allegations, at the FIR stage, *prima facie* attract the offence of theft.

36. The contention of Raja that he had already purchased the vehicle from Samhitha cannot be accepted as a ground for quashing the FIR at this stage. That defence rests upon disputed documents, the genuineness of which is itself under investigation. Therefore, the plea of ownership does not obliterate the ingredients of Section 303 BNS at the threshold.

Section 317(2) BNS - Receiving stolen property:

37. The investigation has revealed that the vehicle allegedly passed through several hands, including Duraisingam, Udayakumar, Thameem Ansari, Mohamed Ibrahim Basuludeen and Raja. The police allege that certain persons received or dealt with the vehicle knowing or having reason to believe that it was stolen or dishonestly obtained. Therefore, the alteration of offence to include Section 317(2) BNS cannot be said to be groundless at this stage.



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Section 318(4) BNS – Cheating:

38. The allegation that the registered owner Samhitha was deceived by creation of documents, that the vehicle was dealt with without lawful transfer, and that persons projected false claims to title, *prima facie* brings into consideration the offence of cheating. Whether deception existed from inception is a matter for investigation and trial. It cannot be ruled out in proceedings under Section 528 BNSS.

Section 336(3) BNS - Forgery:

39. The police have specifically reported that an RC document received through post, purportedly relating to vehicle No.TN 06 AB 5099, was verified and found to relate to another vehicle bearing Registration No.TN 24 AP 5307. This circumstance gives rise to a *prima facie* suspicion of forgery.

40. Further, Samhitha has denied execution of transfer documents in favour of Raja. Whether the signatures found in the documents are genuine or forged is a matter requiring forensic and



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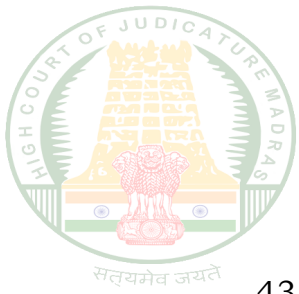
investigative scrutiny. Hence, Section 336(3) BNS cannot be brushed aside at this stage.

Sections 339, 340 and 341 BNS - Forged document and allied offences:

41. Once the investigation discloses that documents may have been forged, used, transmitted or relied upon to assert ownership or possession over the vehicle, the offences relating to forged documents and their use become matters of legitimate investigation. The Court cannot, in a quash petition, certify the genuineness of such documents merely because one party produces them.

Analysis on Quash Petition - Crl.O.P.(MD) No.14242 of 2024:

42. The principal thrust of Raja's quash petition is that the vehicle had been sold to him and that the complainant is a third party. But the status report shows that the vehicle continues to stand in the name of Samhitha in official RTO records and no transfer of ownership has been effected in favour of Raja.



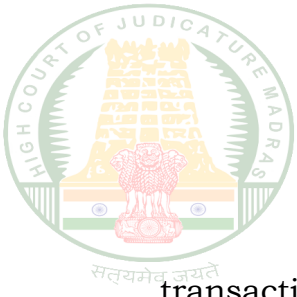
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43. The defence of alibi raised by Raja, namely that he was in Chennai on 14.07.2024, is a matter of evidence. Metro ticket, photographs or movie ticket may be relied upon by him during investigation or trial. Such materials cannot be treated as unimpeachable documents sufficient to quash the FIR at the inception.

44. The delay between 15.07.2024 and 28.07.2024, though a matter that may require explanation, is not by itself fatal in a case involving tracing of a vehicle, private enquiry through intermediaries and suspicion emerging thereafter. Delay may be a circumstance for appreciation during trial, but it does not annihilate the FIR.

45. The plea that the dispute is civil in nature is also unacceptable at this stage. A transaction may wear a civil colour and yet disclose criminality, particularly where allegations of theft, dishonest receipt, cheating and forged documents are raised. The present case is not a mere dispute over sale consideration; it involves the movement of a vehicle, disputed possession, alleged fake RC, denial of execution by the registered owner and multiple pledge



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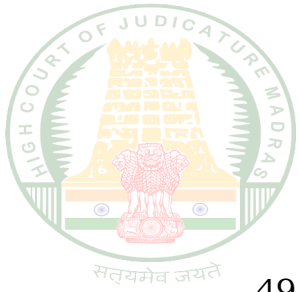
transactions. Therefore, this Court is not inclined to quash Crime No.178 of 2024.

Analysis on Custody of Vehicle:

46. The vehicle is a depreciating movable property. Its continued retention in police custody would serve neither the interest of the prosecution nor that of any claimant. The law does not contemplate that a motor vehicle should remain exposed to weather until the conclusion of investigation or trial.

47. However, the question is: to whom should interim custody be granted? Interim custody cannot decide ownership. It must be granted to the person who, on the present record, has the better *prima facie* entitlement and who can be bound by adequate safeguards.

48. Samhitha is admittedly the registered owner as per RTO records. The vehicle was purchased in her name. The YES Bank loan has been discharged. The official records do not show any transfer in favour of Raja.



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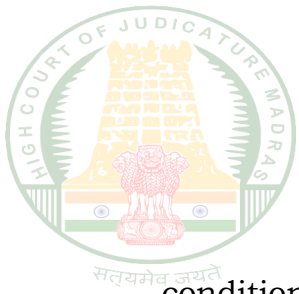
49. Raja's claim rests upon disputed private documents. Samhitha denies their execution. The police suspect forgery. The alleged RC received by post has been found to relate to another vehicle. In such circumstances, Raja's claim cannot be preferred over that of the registered owner for interim custody.

50. The dismissal of Raja's application and revision therefore does not suffer from perversity. Crl.O.P.(MD) No.14056 of 2025 is liable to be dismissed.

51. Similarly, Raja, as a third party, cannot successfully challenge the order in Crl.R.C.No.29 of 2024 merely on the strength of documents whose genuineness is under investigation. Crl.O.P.(MD) No.17410 of 2025 is also liable to be dismissed.

Analysis on Samhitha's Petition - Crl.O.P.(MD) No.6488 of 2025:

52. The condition imposed by the revisional Court requiring production of a "Vehicle Not Traced" certificate was perhaps intended as a safeguard. However, subsequent developments show that the



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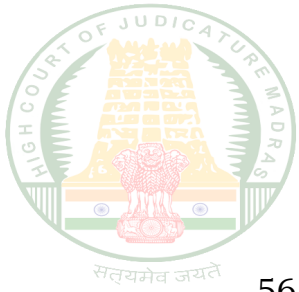
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condition has become impracticable. The police themselves state that the issue of the RC book is part of the investigation and that Raja claimed possession of the original RC. Repeated summons were issued to him. The alleged RC received by post was found to be fake.

53. When the State itself is not in a position to issue a “Not Traced” certificate because the matter is under investigation, Samhitha cannot be compelled to perform an impossible act. Courts do not impose conditions that defeat the very relief granted.

54. At the same time, the release of the vehicle must be protected by adequate safeguards, because rival claims are pending and the vehicle is a material object in Crime No.178 of 2024.

55. Therefore, the condition requiring Samhitha to produce a “Vehicle Not Traced” certificate deserves to be set aside and substituted with appropriate protective conditions.



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56. In the result:

(i) Crl.O.P.(MD) No.14242 of 2024 filed by Raja @ Vanniaraja seeking quashment of Crime No.178 of 2024 is **dismissed**.

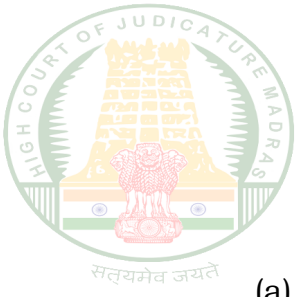
(ii) Crl.O.P.(MD) No.14056 of 2025 filed by Raja @ Vanniaraja challenging the order in Crl.R.C.No.6 of 2025 is **dismissed**.

(iii) Crl.O.P.(MD) No.17410 of 2025 filed by Raja as third party challenging the order in Crl.R.C.No.29 of 2024 is **dismissed**.

(iv) Crl.O.P.(MD) No.6488 of 2025 filed by Samhitha is **partly allowed**.

57. The condition imposed in Crl.R.C.No.29 of 2024 requiring Samhitha to obtain and produce a “Vehicle Not Traced” certificate is set aside.

58. The learned Judicial Magistrate No.V, Tirunelveli, shall release the MG Hector car bearing Registration No.TN 06 AB 5099 to Samhitha, subject to the following conditions:



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(a) Samhitha shall execute a bond for Rs.10,00,000/- with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.V, Tirunelveli.

(b) She shall file an undertaking that she will not sell, alienate, mortgage, pledge, transfer, dismantle, alter or change the physical features of the vehicle until further orders of the competent Court.

(c) She shall produce the vehicle before the Investigating Officer or the trial Court as and when required.

(d) The Investigating Officer shall take detailed photographs and videographs of the vehicle from all angles, record engine number and chassis number, and prepare a mahazar before release.

(e) The Investigating Officer shall ensure compliance with electronic certification requirements wherever necessary.

(f) The release of the vehicle shall not be construed as declaration of title in favour of Samhitha, and the rival claims of



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parties shall be worked out before the competent civil/criminal forum in accordance with law.

(g) Samhitha shall produce the duplicate RC book before the learned Magistrate as and when obtained from the competent Transport Authority.

59. The respondent police shall proceed with the investigation in Crime No.178 of 2024 in accordance with law and shall file final report as expeditiously as possible. The observations made in this order are only for disposal of these Criminal Original Petitions and shall not influence the investigation or trial.

Epilogue:

60. A motor vehicle cannot be made to perish in the courtyard of criminal process while rival claimants litigate over documents. Equally, a Court exercising inherent jurisdiction cannot convert itself into a civil Court to pronounce upon title on the basis of contested transfer papers. The just course is to preserve the property, permit the investigation to proceed, and entrust interim custody to the



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person who, on official records, has the better *prima facie* claim,
without foreclosing the rights of others.

61. Accordingly, these Criminal Original Petitions are dealt
with in the above terms. Consequently, connected miscellaneous
petitions are closed.

01.06.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Sml

To

1. The Judicial Magistrate No.V,
Tirunelveli.
- 2.The 3rd Additional Sessions Judge,
Tirunelveli.
3. The Inspector of Police,
Pettai Police Station,
Tirunelveli City,
Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Sml

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