



Crl.O.P(MD)No.1772 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.O.P(MD)No.1772 of 2026

Alagumalai

... Petitioner

Vs.

The State of Tamil Nadu,
Rep.by The Sub Inspector of Police,
Prohibition Enforcement Wing,
Sathur,
Virudhunagar District.
(Crime No.56/2025)

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside the docket return order dated 20.11.2025 in unnumbered Crl.M.P.No. 2025 on the file of the Judicial Magistrate No.I, Virudhunagar and proceed further in accordance with law.

For Petitioner : Mr.D.Packiaraj

For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.Side)



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ORDER

Seeking to set aside the docket return order dated 20.11.2025 in unnumbered Crl.M.P.No. 2025 on the file of the Judicial Magistrate No.I, Virudhunagar, this criminal original petition is filed.

2. The learned counsel for the petitioner submitted that he is the owner of the vehicle Bajaj Pulsar RS 200 bearing Registration No.TN 67 BK 0083. He had filed an application before the learned trial Court seeking return of property under Section 497 and 503 of BNSS which was returned by cryptic non-speaking docket order dated 20.11.2025. The learned counsel for the petitioner categorically contended that the said order should necessarily be set aside and remanded back for consideration.

3. The learned Government Advocate (Crl.Side) fairly conceded to the same.

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



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5. Accordingly, the docket order is hereby set aside and the matter is remanded back to the learned Judicial Magistrate No.I, Virudhunagar. The learned Judicial Magistrate No.I, Virudhunagar, is directed to number the same and consider the same on merits.

6. With the above directions, this Criminal Original Petition stands allowed.

30.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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Note : Registry is directed to return the impugned order forthwith to the learned counsel for the petitioner.

To

- 1.The Judicial Magistrate No.I,
Virudhunagar.
- 2.The The Sub Inspector of Police,
Prohibition Enforcement Wing,
Sathur,
Virudhunagar District.



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L.VICTORIA GOWRI, J.

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

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