



IN THE COURT OF JUDICIAL MAGISTRATE NO.IV, TIRUPPUR
PRESENT : Thiru. V. Loganathan, B.A.,L.L.B.,
Judicial Magistrate No.IV, Tiruppur

On Thursday, the 30th day of July 2026

C.M.P. No.2851/2026

in

Cr. No.293/2024

CNR.No. TNTI1A0076662026

B.Gopalakrishnan,
S/o.Balasubramaniam

..... Petitioner/Owner of the property

//Vs//

State rep by,
The Inspector of Police,
Mangalam P.S, Crime No.293/2024
u/s.191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS.

.... Respondent/Complainant

This petition has come up on 30.07.2026 for final hearing before me in the presence of **Thiru.A.Bakthapiragalathan** the Learned counsel appearing for the petitioner and the Learned Assistant Public Prosecutor for the Respondent and upon hearing both side and upon perusal of the records, this court delivers the following:



ORDER

The petitioner had filed this petition u/s. 497 of BNSS for interim custody of the property seized by Mangalam Police Station, Cr.No.293/2024, u/s.191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS.

2. Gist of the Petition :-

The petitioner has filed this petition u/s.497 of BNSS seeking interim custody of seized property **ROYAL ENFIELD bearing Reg. No. TN 41 AR 1989**. The Mangalam Police registered the case in Cr.No.293/2024, u/s.191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of BNS, against the accused and the property **ROYAL ENFIELD bearing Reg. No. TN 41 AR 1989**. Vehicle was seized from the accused. Therefore, the petitioner is requesting interim custody of the Vehicle for consideration of its damages. The petitioner filed copies of the Registration Certificate, petitioner's Aadhaar card.

3. In response, the learned APP replied that respondent police submitted that the investigation is still pending and the vehicle was involved in the case. So prosecution side strong objection to return the vehicle to the petitioner.



4. After hearing both sides and reviewing the records, it is clear that the petitioner is seeking interim custody of the property **ROYAL ENFIELD bearing Reg. No. TN 41 AR 1989** which was seized by the police. On the other hand, the respondent police also have no serious objection to return the same as interim custody.

5. Upon reviewing the petition and the petitioner, as the owner of the property, can claim interim custody of the seized Vehicle **ROYAL ENFIELD bearing Reg. No. TN 41 AR 1989**. Considering the facts and circumstances of this case and following the guidelines provided by the Hon'ble Apex Court in "**Sunderbhai Ambalal Desai vs. State of Gujarat**," 2002 Supp (3) SCR 39 and in the interest of justice, this court is inclined to grant interim custody of the property mentioned in the petition to the petitioner under the following conditions:

i). The petitioner shall execute a bond for Rs.50,000/- with two sureties of an equal amount to the satisfaction of this court, along with proof of the stated value.

ii). The petitioner shall not modify or alter the property without prior approval from this court.



iii). The petitioner shall provide three-angle photographs of the property mentioned in the petition, with compliance under Section 63 of BSA and execute a Panchanama.

iv). The petitioner/Police and Head-Clerk of this Court shall prepare Panchanama in accordance with Criminal Rules of Practice, 2019.

Directly dictated by me to the Steno Typist, typed by him, corrected by me and pronounced by me in the open court on the 30th day of July 2026.

Judicial Magistrate No.IV,
Tiruppur.