



IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE, SALEM.

Present: Thiru. Swarnam J. Natarajan, M.L.,
Principal Session Judge, Salem.

Tuesday, this the 23rd day of June - 2026

C.M.P.No.3370/2022 in
CNR.No.TNSA01-005404-2022

Revenue Divisional Officer,
Attur.

... Petitioner / Complainant

/Versus/

1. Arulkumar
S/o Varadharaj

2. Chinnasamy,
S/o. Kandasamy

... Respondents / Accused

This petition is coming on this day for final hearing before me in the presence of Thiru.K.P.K.Saravanan, Special Public Prosecutor for the Petitioner/ Complainant and Thiru. K. Sivakumar, Advocate for the Respondents/ Accused, after hearing both sides and perusing the records, this court delivers the following :

ORDER

This is a petition filed under section 21 (1) Mines and Minerals (Development & Regulations) Act, 1957 to confiscate the seized vehicles

23.06.2026

Principal Sessions Judge, Salem.



namely Mahindra Maximo bearing registration No.TN 10 AL 8643, in which half unit of gravel sand was illegally transported, in connection with the case in Cr.No. 43/2020 u/sec.379 of IPC r/w sec.21(1) of Mines and Minerals (Development and Regulations) Act, 1957 on the file of the Attur Rural Police Station and to sell the same through a public auction and to credit the amount in to the government account.

2. According to the petitioner, the RDO, Attur, filed this application seeking for an order of confiscation of the vehicle Mahindra Maximo bearing registration No.TN 10 AL 8643 involved in the case, and it is alleged that on 14.02.2020 at about 11:00 A.M., on receipt of secrete information regarding the illegal transportation of gravel sand from the Vashishta River near Pananthoppu in Ramanayakkanpalayam village, he and his officials went and seized the vehicle carrying gravel sand without due permission/license. The vehicle is involved in the offence, thereby the vehicle was seized by the complainant. Subsequent to the registration of the case, the vehicle's interim custody was given to the owner on bond. The owner is also added as a respondents and the counter has been filed by the respondents to the effect that the respondents are innocents, they have not involved in the incident and the vehicle cannot be confiscated.



3. The point for determination is:-

Whether confiscation proceedings, as requested by the RDO, is to be ordered and whether the petition is to be allowed?

4. Confiscation proceedings is an independent proceedings irrespective of the result of the criminal case instituted. In the present case, the involvement of the vehicle in the incident has been proved by the petitioner, and subsequent to the registration of the case, the owner of the vehicle had taken interim custody of the vehicle on their applications by executing necessary bonds. Considering the fact that there appears prima facie material that the above vehicle involved in the incident was used for the commission of the crime, as well as for the transportation of the material, this Court finds that confiscation proceedings should go on, and there is no justifiable reasons put forth by the respondents to reject the prayer sought for.

In the result, this petition is allowed and the confiscation proceedings ordered. The petitioner is permitted to proceed with the confiscation.



Dictated to the Steno-Typist, taken by her in shorthand, transcribed and typed by her with the help of voice recorder, and Microsoft 365, corrected and pronounced by me, in the open court, this the 23rd day of June – 2026.

**Sd/- Swarnam J. Natarajan,
Principal Sessions Judge,
Salem.**

Annexure:-

Petitioner's side witness and documents:-

-Nil-

Respondents' side witness and documents:-

-Nil-

**Sd/- Swarnam J. Natarajan,
Principal Sessions Judge,
Salem.**

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The Revenue Divisional Officer,
Salem.



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The Principal Sessions Court,
Salem

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Order in
Crl.M.P.No.3370/2022
Dated : 23.06.2026

23.06.2026

Principal Sessions Judge, Salem.