

IN THE COURT OF THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
ARIYALUR.

PRESENT: Tmt. T. Malarvalantina, M.L.,
Principal District and Sessions Judge,
Ariyalur.

Tuesday, this the 21st day of July 2026

Criminal Revision No. 10 / 2026

CNR No: TNAL010020632026

Sivakumar, aged 36/2026
S/o. Rajendran,
No.40, South street,
Karaikkattankurichi,
Parukkal East, Naduvalur,
Ariyalur.

... Revision Petitioner /
Accused

-Vs-

The State of Tamil Nadu represented
by the Inspector of Police,
Udayarpalayam Police Station, in
Crime No. 79 /2026.
(R.P.No.96/2026)

... Respondent /
Complainant

This petition coming on this day before me for hearing in the presence of Thiru. S. Vijayakumar, Advocate for the petitioner the Inspector of Police, Kuvagam represented as per the order of the Superintendent of Police, Ariyalur in C.No.366/SB/X/ALR/2026, dated: 02.07.2026 appeared for state and upon hearing both sides and upon perusing the petition and other relevant records, this Court delivered the following;

ORDER

2. The above revision was filed against against the order passed by the learned Judicial Magistrate No.II, Jayankondam in Cr.M.P.No. 509/2026, dated

04.07.2026.

3. The respondent police namely Udayarpalayam police has registered a case against this petitioner in Crime No. 79/2026 for the alleged offence u/s. 303(2) BNS r/w. 21(1) of Mines and Minerals (Development and Regulation) Act on 19.02.2026 and his vehicle namely Tractor , bearing registration number TN 61 Y 8944 was seized by the respondent police. The said vehicle was remanded in R.P.No. 96/2026. Hence, the petitioner filed a petition for return of vehicle before the Judicial Magistrate No.II, Jayankondam in Cr.M.P.No.509/2026 and the same was dismissed on 04.07.2026.

4. Challenging by above said dismissal, the accused has preferred this revision on various grounds stating that the petitioner is no way connected with the offence and a false case has been foisted on him for statistical purpose. The petitioner belongs to agriculture family and he was doing agriculture work by using the vehicle. As the vehicle was seized by the respondent police, he could not do the agriculture work and affected his livelihood. If the vehicle is being kept in open place to sunshine and rain at the respondent police station, the functioning condition of the vehicle will get deteriorate. Hence, prayed to return of vehicle as interim custody.

5. The Inspector of police , Kuvagam has stated that the vehicle is already involved in another case in Crime No.243/2025 in the same kind of offence and the case is pending. The petitioner had already been deposited R.C.Book before

the Judicial Magistrate No.II, Jayankondam in Cr.M.P.No. 1423/2025, dated 04.12.2025 in this case. If the vehicle is handed over to the petitioner, he would commit the similar kinds of offence and not produce the vehicle before the Court. Hence, prayed for dismissal of the petition.

6. This Court considered the rival submissions made on both side and also perused the order passed by the trial Court.

7. Now the question before this Court is whether the order passed by the trial Court requires to be set aside or not?.

8. Answer for points:

It is the petition for return of property filed by the owner of the property. The vehicle namely Tractor , bearing registration number TN 61 Y 8944 belongs to petitioner was seized by the respondent police in Crime No. 79/2026 for the alleged offence 303(2) BNS r/w. 21(1) of Mines and Minerals (Development and Regulation) Act and the same was remanded in R.P.No.96/2026. The learned counsel for the petitioner would submit that this vehicle is very essential to the petitioner for running his family and doing agricultural works. If the vehicle is kept in idle, the petitioner will be put into irreparable loss and hardship. The vehicle namely Tractor was put to expose of sunlight and rain. The owner of the vehicle is entitled to interim custody. However, it is submitted by the Inspector of police, Kuvagam that the vehicle was already involved in another case in crime No.243/2025 in the same police

Station in the same kind of offence. Considering the above facts and circumstances and nature of offence, this Court is inclined to impose a specific condition that the petitioner shall deposit a sum of Rs.20,000/- to the District Mines Foundation Trust, Ariyalur District. The petitioner had already been produced R.C.Book in Crime No. 243/2025 before the Judicial Magistrate No.II, Jayankondam, , so the trial court can consider that R.C. Book in this case. Under such circumstances this Court directs the Judicial Magistrate No.II, Jayankondam to return the vehicle with conditions and the question is answered accordingly.

In the result, this revision petition is allowed and the order passed by the trial Court in Cr.M.P.No.509/2026, dated 04.07.2026 is set aside and the Judicial Magistrate No.II, Jayankondam is directed to return the vehicle namely Tractor, bearing registration number TN 61 Y 8944 remanded in R.P.No. 96/2026 in Crime No. 79/2026 on the file of Udayarpalayam Police Station to the petitioner with following conditions;

- (1) That the petitioner shall execute a bond for a sum of **Rs.1,00,000/-** with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Jayankondam.
- (2) Since the same vehicle already involved in the same nature of offence, the petitioner shall **deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) to the District Mines Foundation Trust, Ariyalur District,** the receipt of the same to be produced before the concern court.
- (3) That the petitioner and the sureties shall affix their photographs and given the copies of their Aadhaar Card.

- (4) That the petitioner shall produce the Bank passbook/ Aadhaar card or any such documents at the time of furnishing the sureties. (The petitioner had already been produced R.C.Book in Crime No.243/2025 before the Judicial Magistrate No.II, Jayankondam in this case).
- (5) That the petitioner shall not alienate the vehicle in question till the disposal of the case.
- (6) That the petitioner shall produce that vehicle before the Court and the investigation office as and when required.

Dictated by me to the Stenographer and transcribed and typed by him in computer, then corrected and pronounced by me in open Court on this the 21st day of July 2026.

**Principal Sessions Judge,
Ariyalur.**