

IN THE COURT OF THE JUDICIAL MAGISTRATE No.I, AT ARIYALUR

**Present: Tmt.R.Sangeetha Sekar, B.A., B.L.,
Judicial Magistrate No.I, Ariyalur.**

**Thursday, the 11th day of June 2026
Crl.M.P.No.487/2026 in Crime No.38/2026.
(On the file of the Kairlabath P.S.)**

Anandhan, 35/26
S/o.Kannan

- Petitioner/3rd party

Vs.

State represented by:
Inspector of Police,
Kairlabath Police Station,
Cr.No.38/2026.

- Respondent/Complainant.

This application is coming before me in the presence of Counsel for the Petitioner Thiru.S.Vijayakumar,MBA.,B.L., and learned Assistant Public Prosecutor - Grade-II appearing for State and upon perusing the material records and hearing for both sides and having stood over for consideration till date, this court delivers the following,

Order

1. Heard both sides and perused the materials placed on the record.

2. The Petitioner has filed this application under sections. 497 & 503 of BNSS Act. The petition mentioned properties namely Mahendra & Mahendra Ltd., Goods Carrier bearing Reg.No.TN 49 AL 4271, vehicle involved in this case Kairlabath P.S., Cr.No.38/2026 U/s.303(2) of BNS r/w 21(1) of Mines and Minerals (D&R) Act 1957. The respondent police seized the vehicle and the same was submitted in the Judicial Custody in R.P.No.73/2026. To prove my ownership the RC Book is filed herewith.

3. First of all, the vehicle is in no way connected with the offence and the allegations are imaginary. The Petitioner is to establish his innocence by way of contest properly. The respondent police have no provisions to keep the vehicle in good condition while it is in their custody. They would keep it open to sunshine and rain and the functioning condition of the vehicle would be diminishing. Further since it is used to attend to his day to day affairs, if it is kept idle, he will suffer much inconvenience and thereby he will be put into irreparable loss and hardship. He undertake that he will not alter or change the vehicle and will not sell the same. He further undertake that he will abide by the conditions to be imposed by this court.

4. Since the Prosecution would submit that the property is involved in this crime. If the property is released, it will be used to commit offence again. Hence this court may dismiss this petition.

5. Now, it has to be decided whether the Petitioner is entitled for the interim custody of said properties?

6. On perusal of records the Petitioner filed this Petition U/s.497 of BNSS Act. The above said property was produced before this court by the respondent Police and received by this court as case property in R.P.No.73/2026. A perusal of Section 497 of BNSS Act. clearly empowers the Court to pass appropriate orders with regard to property for the proper custody pending conclusion of inquiry or trial.

7. On hearing rival submissions and after careful consideration and also after perusal of materials this court is inclined to decide that the petitioner is entitled for interim custody of the vehicle. Therefore in view of fore going discussions, this application stands allowed upon the following conditions:

1. The Petitioner shall execute a bond for Rs.1,00,000 /- with two sureties for like sum.

2. The Petitioner shall deposit the original R.C. book of the said vehicle and if, for any genuine reason, such as taking insurance policy the Original R.C. book is required, the Petitioner may file appropriate application for interim custody of the same.
3. The Petitioner shall file three dimension (3D) photographs with CD of case vehicle duly authenticated and certified by Petitioner and detailed Panchanama shall be prepared.
4. The Petitioner shall file an undertaking affidavit to the effect that he will neither sell or mortgage or pledge the properties, nor tamper with the physical appearance of said properties.
5. The Petitioner shall produce the said property in the same physical condition before this court, when he is required to do so.
6. The Petitioner Should produce the vehicle every month First Working day.

Directly dictated to Steno-typist and typed by her, corrected and pronounced by me in open court on this 11th day of June 2026.

Judicial Magistrate No.I,
Ariyalur.