

**IN THE COURT OF THE DISTRICT MUNSIF CUM JUDICIAL
MAGISTRATE, ANNUR.**

**Present : Tmt.V.MONIKA., B.A., B.L., L.L.M.,
District Munsif Cum Judicial Magistrate, Annur.**

C. M. P. No. 38/2026

in

Cr. No. 447/2022

On this Friday, the 06th day of February 2026.

Shanmugasundaram (41) S/o.Palanisamy (late),
2/45, Masagoundanpudur,
Ellapalayam Post,
Pogalur road, Annur taluk,
Coimbatore.
Vehicle

... Petitioner/Owner of the

/Vs/

State rep by
The Inspector of Police,
Annur Police Station,
Cr.No.447/2022 (u/s. 294(b), 341,
366, 354(d), 506(1) of IPC
Police

... Respondent/Complainant

This petition for return of the interim custody of the case property ,i.e., **MARUTHI OMNI** four wheeler **RC Book** was filed by the Petitioner/ Owner of Property, is coming before this court for final hearing in the presence of learned Advocate Mr.M.Prasanth and Respondent Police, appearing for the prosecution and after perusing the petition and the records of the case, having stood over for consideration of this court till this day, this Court delivers the following:

ORDER

This petition was filed under section of 497 of BNSS, for seeking the relief of interim custody of the petition mentioned case property, i.e., **MARUTHI OMNI**, bearing registration number **TN 38 BE 4087** four wheeler **RC Book** which was seized by the respondent police in Crime No.447/2022 of Annur Police Station.

2.The Brief Averments in petition:

This Petition was filed by the Petitioner, u/s. 497 of BNSS for interim custody of the property – **MARUTHI OMNI – RC Book** which was seized by the respondent police from the accused and registered an FIR under section 294(b), 341, 366, 354(d), 506(1) of IPC Act in Crime Number 447/2022. The petitioner stated that he is the owner of the seized property. Further the investigation into the case and consequently the trial will take reasonable a long time to conclude and the petitioner stated that if the above said properties are returned to the petitioner as custody, he will reproduce the same whenever required by this court.

Notice issued to the learned A.P.P, the Respondent Police, police reply received. The Respondent police replied that he object to handing over the property (R.C.Book) found in the case to the rightful owner because if the property found in the case is handed over to the rightful owner, he will not hand it over during the court hearing. APP reply not received.

4. Discussion and Decision

Heard both sides and the case records perused. The petitioner also submitted the photo copy of Aadhaar Card, Vehicle Registration Certificate copy pertaining to the above said four wheeler. From the photo copy of the Registration Certificate of the vehicle shows that the vehicle was registered in the name of the petitioner. The contention that the petitioner is the owner of the seized property was also admitted by the respondent police and there was no dispute regarding his ownership over the seized vehicle. The petitioner is identified by the respondent police.

The petition mentioned RC book pertaining to the vehicle ie., **MARUTHI OMNI** bearing Registration No. **TN 38 BE 4087** is ordered to be returned to the petitioner as interim custody for a period of days for the petition mentioned purpose. Further the petitioner is directed to surrender the original RC Book to the District Munsif cum Judicial Magistrate Court, Annur after completion of the

petition mentioned purpose. Further the factum of interim custody of RC Book given by this Court to the petitioner is to be intimated to the RTO concerned. The petitioner has to submit the affidavit acknowledging the receipt of original R.C.Book at the time of receipt of the same from the court.

Finally this petition is allowed and for return of original R.C.Book call on 06.03.2026.

Dictated to the Typist and typed by her, corrected and pronounced by me in open court on this 06th day of February, 2026.

sd/-V.Monika
District Munsif cum Judicial Magistrate,
Annur.