

IN THE COURT OF THE JUDICIAL MAGISTRATE, TITTAGUDI.

**Present: Selvi. N. Shalini, B.Com.,L.L.B.,(Hons)
Additional District Munsif,
Judicial Magistrate (FAC), Tittagudi**

Wednesday, the 1st day of April 2026

**Crl.M.P. 3198/2025
and
Crl.M.P. 3199/2025
in
Crime No. 125/2024 in Pennadam P.S.**

Ranjithsingh,
S/o. Narayanasingh,
Rajprogith

----Petitioner

/Vs/

The State, represented by
The Inspector of Police
Pennadam Police Station
Cr.No. 125/2024

----Respondent/Complainant

This petition came up before this court today for final hearing before me in the presence of Mr. R. Manivannan, learned counsel for the petitioner and of Assistant Public Prosecutor for the respondent, on hearing both side arguments, this court hereby delivered the following ...

COMMON ORDER

1. This Petition is filed u/s. 503 of BNSS seeking for hand over the case property of MAHENDRA XUV 500 FWD W4 Silver colour four wheeler(Motor Car LMV) bearing registration no. GJ 05 JF 1627 and sum of Rs. 3,64,000/- as interim custody to the petitioner.

2. The learned counsel for the petitioner submitted that he is the owner of the property. The petitioner's vehicle MAHENDRA XUV 500 FWD W4 Silver colour four wheeler(Motor Car LMV) bearing registration no. GJ 05 JF 1627 and sum of Rs. 3,64,000/- has been seized by Pennadam police, amount is need his family medical expenses, if the vehicle is kept open in sun and rain it would get rusted, spoiled and would become useless, that since the vehicle is seized and kept in Police Station, the Petitioner is unable to use the same for his day to day affairs and he is put to irreparable loss and hardships, that the Petitioner is ready and willing to abide by any conditions which may be imposed by this Court for release of the vehicle, that the Petitioner undertakes that he will not sell the vehicle, or transform, or transfer the same and hence, prayed for return of the vehicle to his interim custody.

3. The learned Assistant public prosecutor and respondent police filed reply, stated that if the case property is returned to the petitioner, he will alter or sale the case property and it may be used for the same kind of offence in future. Hence objected to return the case property.

4. Heard, on perusal of case records, it is seen that the property vehicle MAHINDRA XUV 500 Silver colour four wheeler(Motor Car LMV) bearing registration no. GJ 05 JF 1627 and sum of Rs. 3,64,000/- seized by Pennadam P.S. has been produced and kept in the custody of the Court in C.P.No. 5/2026. That the petitioner having regard to the nature of the vehicle, further counsel for petitioner stated that, it would get wasted will render it useless if it is not functioning for long time and Rs. 3,64,000/- is need for his family medical expenses. The Money was seized in mahazar as it is obtained by selling gutka. The respondent police has not disputed the ownership of the properties and no severe objection raised by them. In *Sunder Bhai Ambalal Desai vs. State of Gujarat* [AIR 2003 SC 638]. Considering the fact that the petitioner is the owner of the properties and the contentions raised by the

petitioner and other facts and circumstances of this case and keeping in mind the principles as enunciated in the judgment cited supra, this court feels, Case property of MAHINDRA XUV 500 Car (Silver colour four wheeler)(Motor Car LMV) bearing registration no. GJ 05 JF 1627 shall be returned in interim custody of the Petitioner/Owner.

5. Accordingly, this Petition is Partly allowed. The Petition mentioned one Case Property of Rs. 3,64,000 in (C.P. No. 5/2026) was earned through the sale of Gutkha, hence it cannot be given as interim custody therefore, the petition is dismissed with respect to the said money and another Petition mentioned Property of MAHINDRA XUV 500 Car (Silver colour four wheeler)(Motor Car LMV) bearing registration no. GJ 05 JF 1627 produced before this Court in C.P.No.5/2026 is ordered to be returned to the Petitioner/Owner in his interim custody subject to the following conditions.

1. The petitioner shall execute a personal own bond for a sum of Rs.5,00,000/- (Five Lakhs) along with one blood surety for the like sum.
2. That the petitioner shall not alter modify the property except the repair works.
3. That the photographs of the property shall be produced before the court along with Section 65(B) certificate of Indian Evidence Act and annexed with the case records.
4. That the petitioner shall not alienate the property.
5. That the petitioner shall produce the property as and when required by the court.
6. The petitioner shall execute panchanama in the presence of the Head Clerk of this Court.
7. The Petitioner shall produce self attested photocopy of the R.C. book of the Vehicle with a pass port size Photograph of the petitioner to be attached and the same shall be produced along with.

8. The petitioner shall show the original RC book. While furnishing the surety.

In result, this petition is partly allowed.

Dictated to the Steno-Typist, typed and computerized by her, corrected and pronounced by me in the Open Court, on this the 01st day of April, 2026.

Sd/-(N. Shalini)
Judicial Magistrate, (FAC)
Tittagudi.