

IN THE SPECIAL COURT FOR THE EXCLUSIVE TRIAL OF THE CASES
UNDER THE POCSO ACT, KANCHEEPURAM
(PRINCIPAL DISTRICT AND SESSIONS COURT),
KANCHEEPURAM.

PRESENT: **Tmt. Deepthi Arivunithi, M.L.,**
Special Judge for the exclusive trial
of cases under the POCSO Act,
Principal District and Sessions Judge
Principal District & Sessions Court ,
Kancheepuram.

Monday the 6th day of April 2026
Crl. MP.No. 468/2026

S. Janaki

D/o. Subramani

--- Petitioner/Claimant

//vs//

State: Represented by
The Inspector of Police,
All Women Police station,
Kancheepuram District
Cr.No.1/2025

--- Respondent/Complainant

This petition came up before me for final hearing today which was filed by the counsels M/s. S. Aravindkumar, G. sudarsan, A. Gowtham, on behalf of the petitioner and the reply submitted by the police through Mr. E.L. Kannan, the Public Prosecutor appearing for the respondent, upon hearing the arguments from the counsels for both side, upon perusing the entire records of the case, having stood over for consideration till this date, this Court passed the following

ORDER

The petition filed under Sections 497 and 503 of BNSS to return the two wheeler namely TVS Jupiter ZX, two-wheeler ,bearing Regn. No. TN-21 BM 0412 to the petitioner being the owner of the vehicle.

The learned counsel for the petitioner would state that the vehicle was seized by the respondent police in connection with the crime registered in Cr.No.1/2025 for the offences u/s 87, 65(1), 351(2) of BNS and Sec.11(1) r/w 12, 5(g) r/w 6(1) of POCSO Act @ 87, 70(2), 351(2) of BNS and Sec. 5(g) r/w 6(1) of POCSO Act. The investigation has been completed and the case is numbered as Spl. Sc. 121/2025 and the consequent trial may require a long time to conclude. While so, the property if kept in the custody of the police or the court is likely to be wasted or deteriorated in value due to atmospheric conditions. Hence , he would pray for the return of the vehicle.

The learned Public prosecutor would object on the ground that the vehicle concerned was used for committing the offence and would state that if the vehicle is returned, the petitioner is likely to commit more offences by using this vehicle. Hence he would object to return the vehicle.

Upon perusal of materials on records and having heard both sides, this court finds as follows. The petitioner is the mother of the accused and she is the owner of the two wheeler concerned and the respondent police has not made any objections with regard to the claim of ownership by the petitioner. It is to be noted that the vehicle is presently kept at police station and therefore, as rightly claimed by the petitioner herein the vehicle is likely to be exposed to rain and shine which would certainly diminish its value. In the circumstances, this court is inclined to return theTVS Jupiter ZX, two-wheeler ,bearing Regn. No. TN-21 BM 0412 on the following conditions.

- 1) The respondent police is directed to produce the vehicle TVS Jupiter ZX, two-wheeler ,bearing Regn. No. TN-21 BM 0412 before this court within one week from today.

- 2) On production of the vehicle, the petitioner is directed to execute a bond for a sum of Rs. 25,000/- with two sureties each for a like sum to the satisfaction of this court and on condition to produce the vehicle as and when

required without any change or alteration.

3) The petitioner is directed to surrender the original RC book of the vehicle before this court.

4) The petitioner shall not encumber or alienate the vehicle till the disposal of the case.

5) The petitioner shall produce five photographs/CD of the vehicle in different angles before the Judicial Magistrate concerned.

6) The petitioner shall also given an undertaking not to use for any illegal activities in future.

//This order has been dictated by me to the Stenographer, typed by her in the computer, corrected and pronounced by me in the Court on this Monday the 6th day of April 2026.//

Sd./- Deepthi Arivunithi

Principal District and Sessions Judge/
Special Judge for the exclusive trial
of cases under the POCSO Act,
Principal District and Sessions Court,
Kancheepuram.

Copy to:

1. File of this court
2. The Sub Inspector of Police, All Women Police Station, Kancheepuram
3. The Public Prosecutor.
4. The counsel for the petitioner.

// True copy//

