

IN THE COURT OF THE JUDICIAL MAGISTRATE, MELUR

Present: Selvi.D.Thendhaal Muthu, L.L.M.,

Judicial Magistrate, Melur.

Dated this the 18th day of March 2026, Wednesday

CrI.M.P.No.323/2026

in

Cr.No.52/2026

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A.V.Sanjai,
S/o.Velmurugan

...Petitioner/Owner of the property

/Vs/

State through the Sub Inspector of Police,
Othakadai P.S. in Cr.No.52/2026
U/s.303(2) BNS

... Respondent/Complainant

RPR.No.23/2026

This petition coming on 18.03.2026 for final hearing before me in the presence of Tr.S.Karunakaran, learned counsel for Petitioner and the Learned APP for the Respondent/Complainant and upon perusal of the records, this court delivers the following.

ORDER

1. This is an application for the interim custody of subject vehicle (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 filed U/s.497, 503 BNSS.

2. The Learned counsel for the petitioner/Owner of the property submitted that the subject vehicle (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 is belonging to the petitioner. The above said subject vehicle (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 is very necessary to the petitioner and it may loss its own value, he prays for return of the property.
3. The respondent submit that if the petition is allowed, the petitioner may either damage/alter/alienate the alleged subject vehicle and may not produce the property during trial. Hence the prosecution strongly opposed to allow this petition.
4. On perusal of records it could be seen that the above said (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 has been produced by the police before this court and remanded in RPR.No.23/2026. The reply given by the respondent side is also considered and there is no rival claim with respect to the subject property. The petitioner has filed a copy of R.C.Book stands in his name as well as his ID proof are verified. On considering the judgment of the Hon'ble Supreme Court in *Sundarbhai Ambalal Desai Vs state of Gujarat*, this court is inclined to allow the petition on the following conditions
 - * The petitioner shall execute a bond for sum of Rs.10,000/- on his own with two sureties for a sum of Rs.10,000/- each.
 - * The petitioner Shall take the photo of the (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 produce the photo copy with C.D signed by I.O and produce the same before this court along with Certificate U/s.63(4)(C) of BSA.
 - * Pachanama of the (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 to

be prepared.

- * The petitioner shall produce the (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 as and when required by this court.
- * The petitioner shall not modify or alinate the structure of the (Yamaha R15) bearing Reg.No. TN 60 AH 9808, Chassis No.ME1RG6714M0090972, Engine No.G3N4E0146471 disposal of main case.
- * The petitioner shall make an undertaking that he shall produce the said properties from the interim custody when the court calls for it.

5. Accordingly, this petition is allowed and interim custody is granted to the present petitioner.

Dictated by me to the Steno-typist and typed by her in computer directly and corrected and pronounced by me in open court on this 18th day of March 2026.

Judicial Magistrate,
Melur.