

**IN THE COURT OF THE JUDICIAL MAGISTRATE NO II,
RAMANATHAPURAM**

**Present: Thiru. S.B. Sujith, B.A.,B.L.,(HONS)
District Munsif cum Judicial Magistrate, Rameshwaram
Judicial Magistrate No II(FAC), Ramanathapuram
Friday, the 30th day of January 2026**

**CIS Cr.M.P.No. 1514/2025
CNR.No. TNRM02-005333-2025**

Selvaraj,
S/o. Kaliyappan

..... Petitioner

Versus

1. State represented by the Inspector of Police,
Kenikarai Police Station,
Ramanathapuram,
Cr.No. 197/2025
2. The Revenue Divisional Officer,
Ramanathapuram.
3. The Assistant Director,
Geology and Mining Department,
Ramanathapuram.
4. The Tahsildar,
Taluk Office,
Ramanathapuram.

..... Respondent

For Petitioner : Tr. Ramalingam. Advocate.
For Respondent : Tr. Elango. APP.

This petition taken on file on 21.11.2025 and coming up for final hearing on 30.01.2026. Upon hearing the arguments of both sides and upon perusal of the records and having stood over for consideration till this day, this court delivers the following.

ORDER

This is a petition filed by the petitioner under section 497 of BNSS for interim custody of the original Registration Certificate of JCB bearing Registration No. TN 45 AM 7441 which was produced before this court.

1. The petitioner had submitted that, he is an accused in this case. He further contented that, he is the owner of said vehicle and the same was seized by the police in pursuance of offences punishable under sections 303(2) BNS and 21(1) of Mines and Mineral (Development and Regulation Act). Hence the petitioner obtained the interim custody of the said vehicle by filing a petition before this court. The original registration certificate of the said vehicle was deposited before this court as per the order of this court. At this juncture, the said certificate is essential for renewal. The Petitioner assured that if interim custody of the registration certificate is given to him, he would hand over the same as per the order of this court. The Petitioner is ready to abide any condition and willing to produce sufficient sureties.
2. The respondent police has raised objection by way of reply stating that, if the registration certificate is given to the petitioner, he would sell the vehicle to the third party. Heard both sides. Records perused.
3. On perusal of records, it is found that the Petitioner is one of the accused in this case. The Petitioner is the owner of the vehicle. The interim custody of the vehicle is handed over to the petitioner on condition that the petitioner shall deposit the original registration certificate of the vehicle before this court in

Cr.M.P.No. 1042/2025 dated 08.08.2025. As per the order, the original registration certificate is deposited before this court and it is in the custody of this court.

4. It is common thing that in order to renew the registration certificate, the original registration certificate of the vehicle is essential for the petitioner. If the certificate is not handed over to the petitioner at this juncture, it would cause grave injustice to the petitioner. Further it would create a situation where the petitioner would not be in a position to use the said vehicle.
5. Considering the facts and circumstances of this case and all the above said aspects this court is inclined to give interim custody of the original registration certificate of JCB bearing Registration No. TN 45 AM 7441 to the Petitioner. Accordingly, the interim custody of the property is ordered to be given to the petitioner on the following conditions.
 - i The Petitioner shall execute own bond for Rs. 10,000/- to the satisfaction of this court.
 - ii The Petitioner shall deposit the Original Registration Certificate pertaining to the said vehicle before this court within 30 days from the date of receiving the certificate from this court.
 - iii The Petitioner shall file an undertaking affidavit that he would deposit the certificate within 30 days from the date of receiving the

certificate from this court.

- iv The Petitioner shall file the self attested photocopy of the registration certificate of the vehicle.

Dictated by me to Steno typist directly and typed by her, corrected and pronounced by me on 30.01.2026

**Judicial Magistrate No.II(FAC),
Ramanathapuram.**