



IN THE COURT OF THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE,
RAMESWARAM.

Present: Tr.S.B.Sujith,B.A.,B.L.,(Hons)
District Munsif cum Judicial Magistrate, Rameswaram

Dated this the 12th day of March 2026

CrI.M.P No: 124/2026

CNR.No.TNRM05-000333-2026

Pavithran (26/2026)(A1)
S/o.Sekar,
16/45, Maravar Street,
Mandapam.
Ramanathapuram District.

...Petitioner/Owener of the Property

-Vs -

State through Sub Inspector of Police,
Mandapam Police Station,
Cr.No.31/2026

... Respondent/Complainant

ORDER

1. The petition has been filed U/s.497 and 503 of BNSS seeking interim custody of Yamaha MT Block Mettalic X Color Two wheeler bearing registration number TN 65 AT 9875 in Cr.No.31/2026, U/s.281 BNS, 66 IT Act r/w 184 MV Act of Mandapam PS.

2. Learned counsel for petition submitted that the Yamaha MT Block Mettalic X Color Two wheeler bearing registration number TN 65 AT 9875 belonging to the Petitioner was seized by the Respondent Police and included in the case. Without the said Vehicle the daily life of the petitioner would be affected. The petitioner nor the vehicle has anything to do with this case. If the said Vehicle is handed over to the petitioner he will not sell it or change its appearance. The above said vehicle not used and kept in Respondent police station. So,



the vehicle is exposed to sun and rain without protection in respondent PS. So the vehicle get wasted and damaged. He is ready to abide by any condition ordered by this court. Therefore, the TN 65 AT 9875 two wheeler is to be hand over the petitioner in the interim custody.

3. In the objection filed by the respondent side, it is submitted that the accused has driven his two wheeler named Yamaha MT bearing registration number TN 65 AT 9875 in public roads in dangerous way by wheeling the front tyre, driving at dangerous speeds in public road. Further the accused has uploaded the videos of above stunts in two wheeler in social handle Instagram in his account name "akiraa_93". The Yamaha MT bearing registration number TN 65 AT 9875 was seized from the petitioner. If the vehicle is handed over to the Petitioner the accused will commit a similar offence again. Hence, strongly objected that it should not be handed over to the petitioner.

4. Both sides heard and documents perused. it is found that the above said Cr.No.31/2026, U/s.281 BNS, 66 IT Act r/w 184 MV Act, Respondent police has seized from the accused the Yamaha MT bearing registration number TN 65 AT 9875 on 25.02.2026 and the property has been remanded before this court in PR.No.62/2026

In this connection, the Hon'ble Apex court held in *Sundarabai Ambalal Desai [2003 SCC(Crl)1440]* " case held that marking the seizure report along with photograph or videograph is sufficient to prove the factum of seizure. Further, the petitioner also undertakes to produce the Yamaha MT bearing registration number TN 65 AT 9875 at the time of trial. Therefore, considering the nature of the case, the case property kept in without using it at the court premises is not useful to any persons, Further, the petitioner also undertakes to produce the vehicle at the time of trial. In view of the dictum laid down by the Hon'ble Supreme Court aforesaid case the interim custody of the vehicle is given to the petitioner on following conditions.



- i) The petitioner is directed to take Photograph of the property and submit to the court. Head clerk of this court is directed to prepare panchanama for the so as to marking the same at the time of trial, in the presence of the petitioner and the respondent.
- ii) The petitioner shall not alter or modify or sale the vehicle till the disposal of the case and produce the property whenever this court order to produce before this court to that effect he shall execute own bond for Rs.60,000/- with two surety for Rs.30,000/- to the satisfaction of this court
- iii) The petitioner shall produce affidavit stating that the petitioner will not committ offence as to motor vehicles act again using the vehicle.

Dictated by me to typist directly and typed by him corrected and pronounced by me on 12.03.2026.

District Munsif cum
Judicial Magistrate,
Rameswaram.