

IN THE COURT OF THE JUDICIAL MAGISTRATE NO. I, SIVAGANGAI.

Present: Thiru. P. Selvam, B.Sc.,B.L.,
Judicial Magistrate No.I,
Sivagangai.

Dated this the 12th Day of March 2026

CrI.M.P.No.363/2026
in
WLOR No: 18 of 2025

Ragu,
S/o.Maharaja,
Muthupatti Puthur,
Sivagangai District.

.....Petitioner/Property owner

/VS/

State, thro' Forest Ranger,
Forest office,
Sivagangai.
WLOR No.18/2025

...Complainant/Respondent

This Petition coming on this day for final hearing in the presence of Thiru.B.Ananthakumar, B.Sc.,B.L., Advocate for the Petitioner/Property Owner and Assistant Public Prosecutor Grade II for the respondent/Complainant and upon perusing the records and hearing the both sides, this court passed the following.

ORDER

1. This petition has been filed u/s.497 and 503 of BNSS prayed for a suitable orders to return the property in connection with the WLOR No.18/2025, U/s.49A, 49B, 49C, 50, 51 of Wildlife Protection Act.

2. The petitioner has filed the present petition for seeking interim custody of the Vivo V2204 Mobile, Serial No.10BD1U0NKZ004AE, IMEI 1 No.862682063186839, IMEI 2 No.862682063186821 alleged to have recovered from the accused during the investigation. The petitioner stating that the property may be released with condition not be altered and produced when required. If the properties releases to the petitioner, he will abide the condition which imposed upon him. The respondent/police has submitted that they have serious objection to return the above said property.

3. Both side heard. On perusing case records, the property has remanded in PR.No.143/2025 (Item No.5(v)) before this court. The Aadhar identity and tax invoice bill of the petitioner verified. Since the ownership of the properties proved and produced relevant documents regarding the property, this court accepted the ownership and consider the petition. As stated In Sunderbhai Ambala's case, it was observed by the Hon'ble Supreme court that the powers under sec 451 Cr.P.C (503 BNSS Act) should be exercised expeditiously and judiciously. Considering 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 that the petition is inclined to allow.

Hence this court is inclined to allow this petition on following terms in PR.No.143/2025 (Item No.5(v)) is ordered to be given interim custody to the petitioner, that

- (i). The petitioner shall execute a bond of Rs.10,000/- with one surety for the satisfaction of this court.
- (ii). The petitioner shall produce photographs along with CD of the property.
- (iii). The petitioner/Owner of the property shall execute panchanama in the presence of the Head Clerk.
- (iv). The petitioner/Owner of the property shall produce the property before this court, as and when required by this court.
- (v).The petitioner/Owner of the property shall not transfer, alter the property and to produce the property as and when directed by the court.

Dictated to steno-typist and typed by her and corrected pronounced by me in open Court on this the 12th day of March 2026.

**Judicial Magistrate No.I,
Sivagangai**