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Crl.M.P.No.621 of 2026

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

PRESENT: THIRU. J.KARMEGAKANNAN, B.A., B.L.,

JUDICIAL MAGISTRATE, KARAIKUDI

Tuesday, the 14th day of July 2026

Crl.MP.No.621 of 2026

Crime No.96 of 2026

(On the file of Kallal Police station)

R. Sheela,

W/o.Raja

. . . Petitioner/Owner of the Property

Vs

The Inspector of Police

Kallal PS

Cr.No.96/2026

. . . Respondent/Complainant

On today, this petition coming for final hearing before me on 14.07.2026 in the presence of Advocate Mr.M.Shanmugaraja for the Petitioner and Learned Assistant Public Prosecutor for the Respondent. Upon perusing the records and having stood over for consideration, this court delivers the following.

ORDER

1.The present petition has been filed under Section 497 of the Bharatiya Nagarik Suraksha Sanhita, 2023, seeking interim custody of the vehicle bearing Registration No. TN 63 CA 0006, Mahindra XUV300 1.5 W6, in favour of the petitioner.



2. The petitioner has submitted that she is the registered owner of the said vehicle. It is stated that the vehicle was seized by the respondent police in connection with Crime No.96 of 2026 for the offences punishable under Sections 127(2), 118(1), 109(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023. The seized vehicle was produced before this court in Property Remand No.134 of 2026 and is presently under the custody of the respondent police. Hence, the petitioner has sought interim custody of the vehicle.

3. The respondent police have filed a reply opposing the petition. It is contended that if the vehicle is released, there is every possibility that it may again be used for the commission of similar offences. It is further contended that the petitioner may alter the identity or condition of the vehicle and may fail to produce the same before the court during the course of trial. Therefore, the respondent prayed for dismissal of the petition.

4. The learned counsel for the petitioner submitted that, during the pendency of the investigation, the accused in this case, namely A1 Raja @ Indian Raja and A2 Miche Raja, entered into a compromise with the defacto complainant, Rajapandian. Based on the said compromise, they filed Crl.O.P. (MD) No.10906 of 2026 before the Hon'ble Madurai Bench of the Madras High Court seeking quashing of the FIR in Crime No.96 of 2026. It is further submitted that the Hon'ble High Court, by order dated 12.06.2026, allowed the petition and quashed the FIR. A copy of the said order has been produced



before this court. In view of the quashing of the FIR, the learned counsel prayed that the vehicle may be released without imposing any conditions.

5. This court has carefully considered the submissions made by both sides and perused the records.

6. It is seen that the FIR in Crime No.96 of 2026 has already been quashed by the Hon'ble Madurai Bench of the Madras High Court. In view of the said order, no useful purpose would be served by retaining the vehicle in the custody of the respondent police. The apprehension expressed by the respondent police does not survive in view of the quashing of the criminal proceedings. The Prosecution also fairly admitted about the quashment of FIR. Therefore, this court is inclined to allow the petition.

7. In the result, the petition is allowed. The respondent police are directed to release the vehicle bearing Registration No. TN 63 CA 0006, Mahindra XUV300 1.5 W6, to the petitioner forthwith, if it is not required in connection with any other case.

8. Before taking delivery of the vehicle, the petitioner shall execute a typed affidavit before this court acknowledging the receipt of the vehicle and undertaking that she has taken custody of the property. On filing such affidavit, the respondent police shall hand over the vehicle to the petitioner without insisting upon any further conditions.



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Order pronounced by me in the open court on the 14th day of July
2026.

Judicial Magistrate,
Karaikudi.