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Crl.M.P.No.712 of 2026

IN THE COURT OF THE JUDICIAL MAGISTRATE, KARAIKUDI

Present: Thiru. J.Karmegakannan, B.A., B.L.,

Judicial Magistrate, Karaikudi

Saturday, the 04th day of July 2026

Crl.MP.No.712 of 2026

Crime No.185 of 2025

(On the file of Sakkottai Police Station)

CNR No.TNSV19 – 001 – 477 - 2026

B. Surya,

S/o.Baskar

... Petitioner/Accused

-VS-

The Inspector of Police,

Sakkottai P.S

Cr.No.185/2025

.... Respondent

On today, this petition coming for final hearing before me on 04.07.2026 in the presence of Advocate Thiru.P.Devarajan 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 by the petitioner seeking relaxation of the condition imposed by this Court in Crl.M.P.No.2559 of 2025, dated 23.10.2025, and for return of the original Registration Certificate (RC Book) of the vehicle bearing Registration No. TN 63 AW 5262 to the custody of the petitioner for a period of three months.



2. The petitioner has submitted that the above vehicle was seized by the respondent police in connection with Crime No.185 of 2025 for the alleged offences under Section 21(4) of the MMDR Act and Section 303(2) of the BNS. Thereafter, the vehicle was produced before this Court and taken on file in P.R.No.267 of 2025. Subsequently, this Court, by order dated 23.10.2025 made in Crl.M.P.No.2559 of 2025, granted interim custody of the vehicle to the petitioner subject to certain conditions, one of which required the petitioner to surrender the original RC Book before this Court. In compliance with the said order, the petitioner surrendered the original RC Book before this Court. The petitioner has further submitted that the Fitness Certificate (FC) of the vehicle has expired and that production of the original RC Book is mandatory for renewal of the Fitness Certificate. Hence, the present petition has been filed seeking return of the original RC Book.

3. Per contra, the learned Assistant Public Prosecutor opposed the petition by contending that if the original RC Book is handed over to the petitioner, there is every possibility that the petitioner may misuse the same and may not produce it before this Court whenever required. Therefore, he prayed for dismissal of the petition.

4. This Court heard the submissions made on either side and perused the materials available on record.



5. It is seen that the petitioner seeks return of the original RC Book only for the limited purpose of renewal of the Fitness Certificate of the vehicle. The original RC Book is an essential document for such renewal. Therefore, this court finds merit in the request made by the petitioner. At the same time, the apprehension expressed by the prosecution that the original RC Book may not be produced before the court cannot be ignored. Hence, instead of granting custody of the RC Book for a period of three months as prayed for, this court is inclined to grant temporary custody for a shorter period by imposing appropriate safeguards.

6. Accordingly, the petition is partly allowed. The original RC Book of the vehicle bearing Registration No. TN 63 AW 5262 is ordered to be handed over to the petitioner for 30 days only, subject to the following conditions:

1. The petitioner shall execute a typed affidavit before this court undertaking that he shall resubmit the original RC Book before this court within one month from the date of its receipt.

2. Before obtaining the original RC Book, the petitioner shall produce a certified copy of the RC Book before this court, and the same shall be retained in the case records.

3. The petitioner shall use the original RC Book only for the purpose of renewal of the Fitness Certificate of the vehicle and for no other purpose.



4. The petitioner shall not transfer, sell, mortgage, hypothecate, or create any third party interest over the vehicle on the strength of the original RC Book during the period of its custody.

5. After renewal of the Fitness Certificate, the petitioner shall produce a copy of the renewed Fitness Certificate along with the original RC Book while resubmitting the RC Book before this court.

6. The petitioner shall not make any alteration in the particulars contained in the RC Book and shall not obtain any transfer or change of ownership without the permission of this court.

7. In case of failure to produce the original RC Book within the stipulated period of one month, the petitioner shall be liable for appropriate legal action, including cancellation of the interim custody already granted, besides any other action permissible under law.

Order pronounced by me in the open court on the 04th day of July 2026.

Judicial Magistrate,
Karaikudi.