

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.696 of 2026

And

Crl.MP.No.718 of 2026

Crime No.233 of 2025

(On the file of Karaikudi North Police station)

In Crl.M.P.No.696/2026

Maruthupandiyan, (41/2026)

S/o. MK. Pandiyan

..... Petitioner/Owner of the Property

- vs -

The Sub Inspector of Police

Karaikudi North P.S

Cr.No.233/2025

....Respondent/Complainant

In Crl.M.P.No.718/2026

Kalyani,

W/o.Ramalingam

.....Intervening Petitioner

-v-

The Inspector of Police,

Karaikudi North PS,

..... Complainant

Cr.No.233/2025

Maruthupandiyan,

S/o.Pandiyan

..... Respondent

On today, this petition coming for final hearing before me on 04.07.2026 in the presence of learned Advocate Mr.R.Abdul Sithikique for the Petitioner in CrI.M.P.No.696/2026 and Mr.M.Kalidhasan for the Intervening Petitioner in CrI.M.P.No.718/2026 and Learned Assistant Public Prosecutor for the Respondent/Complainant. Upon perusing the records and having stood over for consideration, this court delivers the following

COMMON ORDER

1. The petition in CrI.M.P.No.696 of 2026 has been filed by the petitioner, claiming to be the owner of the vehicle bearing Registration No. TN 63 BV 5049, having Engine No. K12NN9041348 and Chassis No. MA3CZFB3SLJ702197, under Sections 503 read with 497 and 499 of the Bharatiya Nagarik Suraksha Sanhita, seeking return of the Registration Certificate (RC Book) seized by the respondent police in Crime No.233 of 2025.

2. The petition in CrI.M.P.No.718 of 2026 has been filed by one Kalyani as an intervening petitioner, seeking dismissal of CrI.M.P.No.696 of 2026.

3. The case of the petitioner in CrI.M.P.No.696 of 2026 is that the vehicle belongs to him and the same was seized by the respondent police in connection with Crime No.233 of 2025 registered for the offences under Sections 318, 336, 336(2) and 340 of the Bharatiya Nyaya Sanhita. According to the petitioner, the vehicle was purchased by his father-in-law from one Venkatachalapathy of Kanadukathan after paying the full sale consideration. At

the time of purchase, the vehicle was under hypothecation with Cholamandalam Finance and the loan amount was subsequently discharged. Thereafter, the ownership of the vehicle was transferred in accordance with law and there was no dispute at that time. The petitioner further submitted that the previous owner, namely Solai Radha, had earlier produced the original RC Book before the Fast Track Court, Karaikudi, but suppressed the said fact and thereafter sold the vehicle. Based on the complaint given by the intervening petitioner, the present case was registered and both the vehicle and the RC Book were seized. It is also submitted that the vehicle is a movable and depreciating asset and therefore it should not be kept in the custody of the respondent police. The petitioner further submitted that he had earlier approached the Hon'ble Madurai Bench of the Madras High Court in CrI.O.P. (MD) No.5056 of 2026 and the Hon'ble High Court directed him to approach this Court. Hence, he prayed for return of the RC Book by undertaking to comply with any condition imposed by this Court.

4. The intervening petitioner, submitted that she had lodged the complaint based on which Crime No.233 of 2025 came to be registered. According to her, she had advanced a loan of Rs.15,00,000/- to one Solai Radha. At the time of borrowing the amount, Solai Radha handed over the original RC Book and the vehicle as security by executing necessary documents. She also received a cheque for Rs.15,00,000/-. Since the cheque was dishonoured, she filed a complaint under Section 138 of the Negotiable Instruments Act and the same ended in conviction in her favour. During the

said proceedings, the original RC Book of the vehicle was marked as Ex.P8 and is still in the custody of the learned Fast Track Court, Karaikudi. The intervening petitioner further submitted that by suppressing the fact that the original RC Book was already before the Fast Track Court, Solai Radha obtained a non-traceable certificate from the police, secured a duplicate RC Book and transferred the vehicle in the name of the petitioner by using forged documents. After coming to know of the same, she filed CrI.M.P.No.4250 of 2025 seeking a direction for registration of FIR and based on the order passed by this Court, the present crime came to be registered. Hence, she prayed for dismissal of the petition.

5. The petitioner filed a counter to the intervening petition stating that the transfer of ownership was made strictly in accordance with the prescribed procedure and that the intervening petitioner has no right over the present proceedings. It is further submitted that the dispute between Solai Radha and the intervening petitioner should not prejudice the rights of the petitioner, who claims to be a bona fide purchaser. It is also contended that keeping the vehicle idle would result in depreciation of its value.

6. This court heard the learned counsel appearing for the petitioner, the learned counsel for the intervening petitioner and the learned Assistant Public Prosecutor appearing for the respondent police.

7. At the outset, it is seen that the very same petitioner had earlier filed CrI.M.P.No.155 of 2026 seeking return of the very same vehicle and the said

petition was dismissed on merits by this court on 09.03.2026. In the said proceedings, the present intervening petitioner had also filed CrI.M.P.No.166 of 2026 and the same was allowed.

8. The records further reveal that the original RC Book of the vehicle had already been produced before the learned Fast Track Court, Karaikudi, in C.C.No.132 of 2022 and marked as Ex.P8. It is alleged that despite the said fact, Solai Radha obtained a non traceable certificate, secured a duplicate RC Book and thereafter transferred the vehicle in favour of the present petitioner. On the complaint of the intervening petitioner, this court directed registration of an FIR and accordingly Crime No.233 of 2025 was registered for the offences under Sections 318, 336, 336(2) and 340 of the Bharatiya Nyaya Sanhita.

9. Even assuming that the petitioner is a bona fide purchaser, the RC Book is a vital document in the present criminal case, where serious allegations of forgery and fabrication of records are under investigation. Therefore, the RC Book is required for effective investigation and adjudication of the criminal case.

10. Further, this court had already dismissed the earlier petition filed by the petitioner seeking identical relief by order dated 09.03.2026 in CrI.M.P.No.155 of 2026. The said order has not been challenged before any Hon'ble Higher forum and has attained finality. The petitioner has once again filed the present petition seeking the very same relief. Hence, such an identical

petition is not maintainable. Accordingly, this court finds no merit in
Crl.M.P.No.696 of 2026.

11. In the result, both the petitions are disposed of as follows:

(i) Crl.M.P.No.696 of 2026 is dismissed.

(ii) Crl.M.P.No.718 of 2026 is allowed and the intervention of the
petitioner therein is sustained.

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

Judicial Magistrate,
Karaikudi.