

IN THE COURT OF THE JUDICIAL MAGISTRATE, PALLADAM
Present: Tmt.S.Sapna, B.B.M.,L.L.M.,
Judicial Magistrate, Palladam,
Monday 23rd day of March 2026
E-CRLMP.No.114 of 2026
(CNR.No.TNTI11 000439 2026)

H. Anil (23),
 S/o, Harlal,
 Jajiwai Bishnoyan,
 Jembashawar Ki Dhani,
 Jajiwai Jalan, Jodhpur, Rajasthan

Now at

Hari Home Marbles and Granites
 Mudalipalayam, Sulur Pirivu,
 Coimbatore.

... Petitioner /Owner of the property

//Vs//

State rep by Inspector of Police
 Palladam,Ps
 Cr.No.1258/2025

U/s. 275, 123 BNS, 7(1)20(2) Cotpa Act

... Respondent/ Complainant

Petition filed U/s 497 and 503 of BNSS Act to return the case property.

This petition is filed online on 24.02.2026 by the counsel for the petitioner Mr.A.Amarnath, Advocate for interim custody of the case property. Notice issued to learned APP and concerned SHO. Hear both side and upon considering the case records this court delivers the following.

ORDER

The petition is filed by the petitioner Under section 497 and 503 of B.N.S.S with prayer to return the case property MAHINDRA & MAHINDRA XUV 500 W8 bearing Registration No. RJ 14 UD 5057 seized in connection with Cr.No.1258/2025 registered U/s. 275, 123 BNS, 7(1)20(2) Cotpa Act of Palladam, Police station.

2.The learned counsel for the petitioner has submitted that On 18.12.2025 , petitioner have to drove the said vehicle in palladam road chinnakkarai at the time respondent police check petitioner vehicle and petitioner alongwith vehicle to police station. At the time the respondent police was seized petitioner's vehicle from for alleged selling intoxicated drug. The respondent police seized petitioner vehicle MAHINDRA & MAHINDRA XUV 500 W8 bearing Registration No. RJ 14 UD 5057. The petitioner have to falsely implicated in this case. Petitioner no way connected with this case. The above said petitioner vehicle was seized by the respondent police and custody also. The above said my vehicle was parked in the open

place of the respondent police. Due to park the open place petitioner vehicle was damaged as color fad and etc. Due to not functioning of the vehicle battery and vehicle was collapsed. Hence the petitioner have filed this petition for taking interim custody of my vehicle before this Hon'ble court. The above said vehicle cash is essential for my day today affairs. If the said Vehicle MAHINDRA & MAHINDRA XUV 500 W8 bearing Registration No. RJ 14 UD 5057 is not returned to me, The petitioner will be put to loss and hardship. The petitioner ready to obey condition imposed by this hon'ble court.

3.The Learned APP filed reply by stating that the case is still pending at the stage of investigation. The seized property in the above case is pending before the Hon'ble court and has not yet been assigned a property number. At this stage if the property is returned to the petitioner he will destroy or destruct the property. Hence, the respondent filed objection.

4. On perusal of the records it is seems that the Petition has been filed to return the case property on interim custody. This said property involved in an offence U/s.275, 123 BNS, 7(1)20(2) Cotpa Act. The prosecution has submitted that the property is very essential on prosecution side to mark as material object. The petitioner will tamper and hamper the evidence. Furthermore, the petitioner has not provided sufficient reasons for the difference between the registration number of the vehicle involved in the case and documents relating to the case property have not been produced before this court. Since the vehicle was used for preparation of above alleged offences, this petition is allowed it will lead to recurrence of similar offence. Hence, this court is not inclined to allow this application.

5. Accordingly this petition is dismissed.

Judicial Magistrate,
Palladam.