

IN THE COURT OF THE JUDICIAL MAGISTRATE, PALLADAM
Present: Tmt.S.Sapna, B.B.M.,L.L.M.,
Judicial Magistrate, Palladam,
Wednesday 11th day of March 2026
E-CRLMP.No.121 of 2026
(CNR.No.TNTI11 000439 2026)

Ramesh (age 47),
 S/o. Veeranadevar,
 No.26A6, Pethampalayam road,
 Panapalayam, Palladam.

.... Petitioner /Owner of the property / 3rd Party

//Vs//

State rep by Inspector of Police
 Palladam,Ps
 Cr.No.38/2026
 U/s. 126(2),296(b) BNS & 3 of TNPPDL Act

... Respondent/ Complainant

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

This petition is filed online on 03.03.2026 by the counsel for the petitioner Mr.S.Jeevarathinam, 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 Splendor + bearing registration No. TN 42 AF 8017 seized in connection with Cr.No.38/2026 registered U/s. 126(2),296(b) BNS & 3 of TNPPDL Act of Palladam, Police station.

2.The learned counsel for the petitioner has submitted that the petitioner is a private company employee, and the petitioner is a owner of the two wheeler bearing registration number TN 42 AF 8017. The petitioner bought the Bike for the use of the petitioner own use. The petitioner state that on 12.01.2026 to the shock of the petitioner the respondent police seized the bike stating the bike is involved in a commission of offence, thereafter on verification The petitioner came to know that the accused was charged in the above Crime No. 38/2026 and the petitioner two wheeler bearing registration TN 42 AF 8017 was seized and now it is under the custody of the respondent police in connection with the above crime No. 38/2026. The petitionr bike is very much necessary for the petitioner day to day life without petitioner bike cannot go for any work and to social functions, and the petitionr movements are restricted in absence of the petitioner bike. Hence it may be returned tothe petitioner

after all the details recorded by the Police. Further the petitioner assure to return the petitioner bike during the ime of enquiry without changing its character and shape, and undertake to produce it whenever it is required by this Hon'ble court. If the bike is kept in Respondent's police station, there won't be any proper care and maintenance and will get damage in the open place to sunlight and others all the things will make the petitioner bike un-roadworthy. Therefore it is prayed that this Hon'ble court may be pleased to pass an order to produce the above said bike bearing TN 42 AF 8017 and before this hon'ble court and return it back to the petitioner and pass necessary orders and thus render justice.

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.Heard Both sides, Records perused. This court carefully perused the complaint, The case property of Splendor + bearing registration No. TN 42 AF 8017 was kept in respondent police station. There is no dispute regarding the ownership of property. Hence on considering the facts and circumstances of this case. Considering the petitioner is the ownership of the case property. Upon considering the Hon'ble Supreme court Verdicts guidelines held " In Re sundar Bai ambalal Vs. State this court is of view to handover the case property of Splendor + bearing registration No. TN 42 AF 8017 seized as interim custody to the petitioner with following conditions.

i)The petitioner shall execute a personal bond for a sum of Rs.1,00,000/- to the satisfaction of this court.

ii) The petitioner/Owner of the property shall produce his authenticated identity card to show the residence proof and

iii) A detailed Panchanama is to be prepared.

iv) The petitioner/owner of the property shall produce the property before this Court once every month, on the first working day.

v)The property shall be photographed and photographs and the CD shall be attached with the Form 91, the Phototgraphs shall be duly attested by the petitioner, and the respondent police.

vi) The petitioner shall not sell, alter(or) make away encumbrance on the property.

vii) The Certified copy of RC Book for the vehicle bearing No. TN 42 AF 8017 shall be produced before this court. Original shall be produced for comparison.

ix) This petition is allowed accordingly.

Judicial Magistrate,
Palladam.