

**IN THE COURT OF THE JUDICIAL MAGISTRATE VALLIYOOR**

**PRESENT : Thiru P. Moses Jebasingh. B.Sc, M.L.,**

**Judicial Magistrate, Valliyoor.**

Dated the 23<sup>th</sup> day of June 2026

CrIMP.No. 473/2026

in

Cr. No. 626/2026

Manikandan, S/o. Esakkiappan

... Petitioner/ Accused

/Vs./

State of Tamil Nadu through

Sub Inspector of Police, Panagudi P.S

... Respondent/Complainant

This petition is coming before me on 23.06.2026 for Return of Property and filed by Advocate Tr. M. Manikandan appearing for petitioner and the Assistant Public Prosecutor Grade II for state, heard both side, perused the records and this court passed the following.

**ORDER**

1. This petition has been filed U/s. 497 of BNSS, to grant interim custody of the vehicle bearing Reg. No. TN 72 DW 6157.

**Petition in Brief:**

2. The petitioner is the absolute owner of the Vehicle bearing registration No: TN 72 DW 6157. The petitioner stated that the Sub Inspector of Police, Panagudi registered a case in Cr.No. 626/2026 under section 296(b), 189 (2), 351(3) of BNS and Sec 3 of TNPPDL Act. Now the said vehicle is under custody of the respondent police. If the vehicle is presently parked in the front yard of the respondent Police Station under sunlight and rain, if it will kept for more time it will rust and loss its value and nature. The petitioner is ready to produce solvent sureties to the satisfaction of this Hon'ble Court. Hence the Court may be pleased to order interim custody of the vehicle to the petitioner.

**Counter in Brief:**

3. If the case property bearing registration No: TN 72 DW 6157 had been handed over to the petitioner, there is possibility of selling, Mortgage or modified by the petitioner and also the petitioner will not produced at the time of trial and he may involved vehicle in similar offences. Hence, the petition may be dismissed.

4. Heard, Records perused. On perusal of case records, seems that now the case property was under custody of respondent police. This petitioner is an 1<sup>st</sup> accused in the case. Further on perusal of registration of certificate copy furnished by petitioner reveals that he is the owner of the said vehicle. Considering the facts and circumstances of the case this court follow the guidelines given by our apex court in Sundarbai Ambalal Desai Vs State of Gujarat and reason stated in the petition this court is inclined to grant interim custody of the property to the petitioner on the following conditions:-

- (i) The Respondent Police is direct to produce the petition property before this court within a week.
- (ii) On production of the property, the petitioner shall execute a bond for sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties each for a like sum to the satisfaction of this court.
- (iii) The petitioner shall produce the Original Registration certificate of vehicle before this court.
- (iv) The petitioner shall produce the vehicle whenever required by this court.
- (v) The petitioner shall produce three angled photographs of the vehicle, compact disk, along with 63 BSA certificate required by law.
- (vi) That the Panchanama shall be prepared in the presence of the petitioner, the investigation officer and the Head Ministerial officer of this court and the same shall be attested by them as per Judicial form No. 82 of Criminal Rules of Practice, 2019.

Accordingly this petition is allowed.

Dictated to the steno typist typed by her corrected and pronounced by me in open court this the 23<sup>th</sup> day of June 2026.

S..d/- Moses Jebasingh

Judicial Magistrate,  
Valliyoar.