



State of Tamilnadu
In the Court of Sessions, Tenkasi Division
Before the Principal Sessions Judge, Tenkasi.
PRESENT: THIRU. B.RAJAVEL, B.SC.,B.L.,
Principal Sessions Judge, Tenkasi
Tuesday the 28th day of April 2026
Criminal Revision Case Number 5/2026
(CNR No. TNTS 010007302026)

Velmurugan,
S/o Subbaiah

.....Revision Petitioner

/Vs/

State: Inspector of Police,
Karivalamvandanallur Police Station,
Cr.No. 126/2019

...Respondent/Complainant

This Criminal Revision Case has finally come before this Court on 28.04.2026 in the presence of Thiru.R.Raju, Advocate for the Revision Petitioner and Thiru.M.P.K.Maruthappan, Public Prosecutor for the Respondent and on hearing the arguments of both sides and upon perusing the records, and having stood over till this day for consideration, this court passed the following

ORDER

This Criminal Revision Case has been filed by the Revision Petitioner u/s 438(1) BNSS against the order passed by the learned Judicial Magistrate, Sankarankovil in Cr.M.P.No.1059/2025 in Cr.No.126/2019 of Karivalamvandanallur P.S. dt.08/12/2025 wherein Petition u/s 452 of Cr.P.C. filed by the Revision Petitioner for the return of case property namely cash of Rs.1,05,000/- which was dismissed.

2) Briefly stated averments in the Petition filed by the Criminal Revision Petitioner/Petitioner in Cr.M.P.No.1059/2025 in Karivalamvandanallur P.S.Cr.No.126/2019 of Judicial Magistrate Court, Sankarankovil:

This petitioner is accused in this case in Cr.No.126/2019 of Karivalamvandanallur P.S. The respondent police seized the petitioner's vehicle in Reg.No.TN79 D 4807 and also cash of Rs.1,05,000/- from this petitioner at the time of election in the year 2019 and the vehicle only returned to this petitioner as interim custody by the Judicial Magistrate Court, Sankarankovil. The petitioner is owner of the cash of Rs.1,05,000/-. The case was closed as L.F. The petitioner is in need of his cash of Rs.1,05,000/- for his daily avocation. The petitioner is ready to abide by any condition imposed by this court. If the petition is not allowed, the petitioner will be put into irreparable loss. Hence, it is necessary to hand over the above said cash remanded in P.R.No.259/2019 to this petitioner.

3) The learned Assistant Public Prosecutor has submitted that the case properties i.e. vehicle and cash of Rs.1,05,000/- in Cr.No.126/2019, u/s 279, 171(E) IPC were remanded before the Judicial Magistrate Court, Sankarankovil in P.R.No.259/2019 and the vehicle was handed over to the petitioner as interim custody as per order in Cr.M.P.4326/2019, dated:-28.08.2019. This case was closed on 12.09.2022 as per L.F.No.837/2022 and hence there is no objection to return the properties to the petitioner.

4) The Lower Court after hearing both sides dismissed the petition with regard to the cash of Rs.1,05,000/-. Aggrieved by the order of the learned Judicial

Magistrate, Sankarankovil, the Revision Petitioner has preferred this Criminal Revision Case before this Court on the basis of following grounds:

5) Briefly stated averments in the Memorandum of Criminal Revision Petition are as follows:

The order of the learned Judicial Magistrate, Sankarankovil is against law and not sustainable either in law or in fact. The current status of the above said case is that it is closed by the respondent police itself under L.F.No.837/2022 on 12.09.2022. Hence this revision petition is filed by the revision petitioner to set aside the order of the lower court i.e. in Cr.M.P.1059/2025 on the file of the Judicial Magistrate, Sankarankovil dated 08.12.2025 and to return the amount of Rs.1,05,000/- remanded in P.R.No.259/2019 to the custody of the Revision Petitioner.

6. The learned Public Prosecutor submitted an objection by stating that the properties seized by the respondent police in this case were remanded before the Judicial Magistrate Court, Sankarankovil in P.R.No.259/2019. Among them the vehicle was already handed over to this petitioner as interim custody as per order in Cr.M.P.4326/2019 dated 28.08.2019 and the R.C. book also handed over to this petitioner and this petitioner did not produce any documents to prove the ownership of cash of Rs.1,05,000/-. Hence, this criminal revision petition has to be dismissed.

7) Now the Point for consideration is whether the Criminal Revision Petition is to be allowed? or not?

8. Point: This Revision Petition has been filed against the dismissal order passed by the trial court with regard to the return of cash of Rs.1,05,000/- which

belongs to the Revision Petitioner. The trial court has given a reason stating that the above said cash were seized at the time of election and no documents were produced to prove the ownership of cash and dismissed the petition.

9. The learned counsel for the revision petitioner would submit that, the case was closed as L.F.No.837/2022 on 12.09.2022 and this petitioner also produced his Canara Bank Account Statement which is enough to establish the revision petitioner's case. If the revision petition is not allowed, the revision petitioner would be put to irreparable loss and damages and hence, the lower court order has to be set aside and this criminal revision petition has to be allowed.

10. On the other hand, the learned Public Prosecutor would contend that the properties seized by the respondent police in this case were remanded before the Judicial Magistrate Court, Sankarankovil in P.R.No.259/2019. Among them the vehicle was already handed over to this petitioner as interim custody as per order in Cr.M.P.4326/2019 dated 28.08.2019 and the R.C. book also handed over to this petitioner and this petitioner did not produce any documents to prove the ownership of cash of Rs.1,05,000/- and hence strongly objected to this Criminal Revision Petition.

11. After taking into consideration of the both sides and on perusal of the case records, now this court is to decide that whether the revision petitioner's contention is acceptable one.

12. According to the prosecution, the revision petitioner is accused in this case. The properties i.e. cash of Rs.1,05,000/- and vehicle were recovered from this revision petitioner. The revision petitioner also produced his Canara Bank Account Statement and from which it is well known that before the date of occurrence the balance in his account is Rs.1,66,165/- and the amount also recovered from this petitioner and it is also not objected by the respondent police and the case also closed as L.F.No.837/2022 on 12.09.2022 and if this petition is allowed no prejudice will be caused to the prosecution side and hence this court is inclined to return the petition mentioned cash of Rs.1,05,000/- to the petitioner .

In the result this Criminal Revision Petition is allowed and the Revision Petitioner is entitled to get the petition mentioned amount of Rs.1,05,000/-.

Dictated to the steno-typist, directly typed by him in computer, corrected and pronounced by me, this the 28th day of April 2026.

PRINCIPAL SESSIONS JUDGE,
TENKASI.

Copy to
The Judicial Magistrate, Sankarankovil.
(with LC records)

Principal District Court, Tenkasi
Crl.R.C.5/2026
Order
Dated:-28.04.2026
