

**IN THE COURT OF JUDICIAL MAGISTRATE COURT, VANIYAMBADI**

**PRESENT: Tmt.K.Sripathi, B.A., L.L.B.,**

Judicial Magistrate

Vaniyambadi

Tuesday 10<sup>th</sup> day of March 2026

**Cr.L.M.P.No. 378/2026**

**CNR.No:TNTU09-000629-2026**

Riyaz S/o Fairoze

.....Petitioner

/Versus/

The Sub-Inspector of police.

Vaniyambadi Town Police Station,

Cr.No.386/2025,

U/s. 303(2) BNS Act.

.....Respondent

This Petition was taken on file on 25.02.2026 This petition is filed by the petitioner U/s. 497 and 502 of BNSS and coming on this day before me in the presence of Thiru. K.Ranjithkumar, B.Com., B.L, Counsel for petitioner and the learned A.P.P. Gr-I for respondent and upon hearing the arguments on both sides this court passed the following :-

**/ORDER/**

1. Heard both side. Records perused.

2. **Averments contains in the petition:**

The counsel for the petitioner contented that the petitioner filed this petition for return of his vehicle NS 200 Pulsar bearing **Reg.No.TN 18 AW 3870** which was seized by the respondent police in Cr.No.386/2025. Vehicle Engine Number is JLYCKH89671 and Chasis Number is MD2A36FYXKCH56235. Further, he contented that the petitioner is the owner of the vehicle and it is seized by the Respondent of police which is not handed over to the court till the date and above

said property is most necessary to the petitioner. Petitioner contented that, above said vehicle was not properly maintain it will get detoriate and not for further use. Hence, the vehicle may be given to petitioner as interim custody, the petitioner undertakes to produce the property before the court. Hence, prays to allow this petition.

**3. Averments contains in the in the reply of Respondent Police:**

Respondent police taken notice and replies, if the vehicle is handed over to the petitioner/accused may again commit same kind of offences and avoid trial proceedings, tamper the evidence and also again create law and problems. Hence, I strongly object to handing over the above two-wheeler to the petitioner/accused involved in the above case.

**4. Averments contains in the reply of Assistant Public Prosecutor:**

The learned Assistant Public Prosecutor has taken notice and replied, As per IO's reply this case property used by the accused person to commit the theft offence. It is very essential to prove the prosecution by marking as M.O. Hence, According to the facts and circumstance this case This Hon'ble Court may be pleased to order on merits in accordance with law.

**5.** Both side considered. The petitioner called absent. Case Property not numbered. Also sufficient time was given to the petitioner to produce the original documents and no documents were produced. Hence, considering the facts and circumstances, this petition is dismissed.

In the result, this petition is **dismissed**.

Dictated by me to the typist, directly typed by her in computer and corrected by me and pronounced in open court on this 10<sup>th</sup> day of March 2026.

Judicial Magistrate,  
Vaniyambadi.