

Kalaiarasan vs State Rep by

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Court : Chennai

Decided On : Feb-27-2026

Judge : Honourable Mr.Justice Sunder Mohan

Appeal No. : CRL RC/482/2026

Appellant : Kalaiarasan

Respondent : State Rep by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN Kalaiarasan S/o Kaliyaperumal, No.2/184, pilpadukai, Gothandapuram, Muthalaimedu, Sirkazhi District. ..Petitioner(s) Vs State Rep By The State Rep by The Inspector of police, Cuddalore PE-Wing police station, Cuddalore District, Crime No.134 of 2026 ..Respondent(s) Criminal Revision Petition filed under Section 438 r/w Section 442 of BNSS, praying to set aside the order in Crl.MP.No.377 of 2026 passed by the Learned Judicial Magistrate Court-II, Cuddalore dated 18.02.2026 and release the

petitioner's MARUTHI ERITCA Car bearing registration No.PY-01- CL-6496. For Petitioner(s): Mr.A.Sathishkumar For Respondent(s): Mr.R.Vinothraja Government Advocate (Criminal Side) Page1 of 5

ORDER

The revision petition challenges the dismissal of the petitioner's application in CrI.M.P.No.377 of 2026 dated 18.02.2026, seeking return of his car bearing registration No.PY-01-CL-6496, seized during the course of the investigation in Cr.No.134 of 2026, registered for the offence under Sections 4(1)(c) 4(1)(A) & Section 14A of TNP Act.

2. It is the case of the prosecution that the petitioner had transported IMFL liquor from Puducherry in the car and thus committed the aforesaid offences.

3. The petitioner sought for return of the vehicle before the Trial Court, which came to be dismissed by the impugned order.

4. The learned counsel for the petitioner would submit that, the petitioner is the owner of the vehicle and he is entitled to interim custody of the vehicle pending the confiscation proceedings on any stringent conditions.

5. The learned Government Advocate (CrI.Side) appearing for the respondent submitted that the confiscation proceedings have been initiated and Page2 of 5 the vehicle is liable to be confiscated.

6. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) appearing for the respondent.

7. Considering the fact that the vehicle is kept idle in an open place in the

police station since 28.01.2026 subjected to vagaries of the weather and that the petitioner is the owner of the vehicle, this Court is inclined to hand over the interim custody of the vehicle to the petitioner on stringent conditions subject to the result of the confiscation proceedings.

8. Accordingly, this Criminal Revision Case is allowed and the impugned

order dated 18.02.2026 made in Crl.M.P.No.377 of 2026 on the file of the

Judicial Magistrate No.II, Cuddalore is set aside. In view of the same, the respondent is directed to return the vehicle to the petitioner on the following conditions -

(i) The petitioner shall execute a personal bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) with two sureties for a likesum to the satisfaction of the learned Judicial Magistrate No.II, Cuddalore; Page3 of 5

(ii) The petitioner shall produce the original RC Book

along with a self-attested Photostat copy of the RC Book of the vehicle and other relevant records to prove his ownership. The learned Judicial Magistrate No.II, Cuddalore shall peruse the RC book and other records, retain a xerox copy of the same and return the original RC book to the petitioner;

(iii) The petitioner shall not alter or alienate the vehicle in any manner;

(iv) The petitioner shall also give an undertaking that he will produce the vehicle as and when required by the respondent and by the Court below.

(v) The return of property would be subject to the result of the confiscation proceedings. 27-02-2026 Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No ANU To State Rep By The State Rep by The Inspector of police, Cuddalore PE-Wing police station, Cuddalore District Page4 of 5

SUNDER MOHAN, J.

ANU 27-02-2026 Page5 of 5

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