

What is Section 451 of Code of Criminal Procedure (CrPC)?

April 10, 2024 • vajiramandravi.com



About Section 451 of CrPC

- The title of the section states, “**order for custody and disposal of property pending trial** in certain cases”.
- It deals with the interim disposal of property before finally concluding the case.
- The provision provides that **when any property is produced** before any criminal court, the **court may order for proper custody** of the property pending the conclusion of the inquiry and trial, **and seeing the nature** of the property, **i.e., speedy or natural decay**, the court **may order its sale or disposal**.
- For the purpose of this section, **property includes:**
 - Property of any kind or document which is **produced before the Court** or which is **in its custody**.
 - Any property **regarding which an offence** appears to **have been committed** or which **appears to have been used for the commission** of any offence.
- The **court can issue orders**, including interim ones, **for the proper custody and disposal** of property or documents which fall within any one of the above categories.
- The **nature of the property should be seen** before disposing of or deciding the custody of the property.

- It **empowers the court to dispose** of the **perishable properties first** and **retain properties** that are **needed for the purpose of trial**.
- Section 451 is **not confined to natural decay alone** but extends to other ways of damage which require expedient disposal.
- The **court holds discretionary power** to decide the method of disposal according to the facts and the circumstances of the case.
- **Methods of disposal:** The property can be disposed of by either **destruction, confiscation, or delivering** or giving the property **to a person claiming** to be entitled to such property and thus restoring it to the dispossessed, **selling it off, etc.**
- The court, however, has **no jurisdiction to direct the disposal** of any property **without producing it before the court in either physical or symbolic form**. The symbolic production is done by filing records or reports about such a seizure.
- The order under Section 451 of the CrPC is an **interlocutory one in nature but not final**. This is because it needs to be revised in some occasions, depending on the circumstances.

Related Topics:

- [Section 125 of the Criminal Procedure Code \(CrPC\)](#)
- [Section 91 of the Code of Criminal Procedure \(CrPC\)](#)
- [Section 82 of Code of Criminal Procedure \(CrPC\)](#)
- [Section 319 of the Code of Criminal Procedure](#)

Q1: What is the Code of Criminal Procedure (CrPC)?

Enacted in 1973 (came into force on 1 April 1974), CrPC is the main legislation on procedure for administration of substantive criminal law in India. It provides a procedure for the investigation of crime, the collection of evidence, and the determination of guilt or innocence. The CrPC also covers the arrest and detention of suspects, the conduct of trials, and the sentencing of convicted individuals.

Source: [Moving HC Under Articles 226/227 To Release Seized Vehicle Without Approaching Magistrate Under Sec.451 CrPC Not Proper: Supreme Court](#)

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