

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.10193 of 2015

S.Gandhiraj

..Petitioner

Vs

State represented by
Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai

...Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent police to set aside the order dated 31.03.2015 in Crl.M.P.No.620 of 2015 rendered by V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner :Mr.M.Nirmal Kumar

For Respondent :Mr.C. Emalias,
Additional Public Prosecutor

ORDER

The petitioner has come up with this petition, seeking a direction to the respondent police to set aside the order dated 31.03.2015 in Crl.M.P.No.620 of 2014 of the learned V Metropolitan Magistrate, Egmore, Chennai.

2. Heard, Mr.M.Nirmal Kumar, learned Counsel for the petitioner and Mr.C.Emalias, learned Additional Public Prosecutor for the respondent.

3. It is seen that the vehicle of the petitioner was used by the assailant for committing the offence. Thereafter, the vehicle was seized. The petitioner has been shown as LW 21 in the final report that has been filed by the police. It appears that the Court below have granted interim custody of the vehicle under Section 451 Cr.P.C. on condition that the petitioner shall produce the vehicle on the first working day of every month along with other conditions.

4. Mr.Nirmal Kumar, learned counsel for the petitioner would submit that the petitioner is using the vehicle for picking up children from their residence to school and dropping them back to their residence. Therefore, he finds it very difficult to

produce the vehicle before the learned Magistrate at 10.30 a.m. in the morning.

5. This Court is of the view that it will not be in the interest of justice to completely relax the conditions, but, it would serve in the interest of justice, if the petitioner is directed to produce the vehicle on the 1st working day at 05.30 p.m. before the V Metropolitan Magistrate once in two months. It is needless to mention that rest of the conditions remain unaltered.

This Criminal Original petition is disposed of with the above direction.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
K-3, Aminjikarai Police Station,
Chennai
 2. V Metropolitan Magistrate, Egmore, Chennai.
 3. The Public Prosecutor, High Court, Madras.
- + 1 cc to M/s. M.Nirmal Kumar, Advocate Sr.23313

सत्यमेव जयते

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RSK(CO)
EU 20.05.2015

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