

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12-06-2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No. 559 of 2015

Hariharan

.. Petitioner

Versus

The State
represented by
Inspector of Police
Town Police Station
Thiruvanamalai District.

... Respondent

Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C., against the order dated 11.05.2015 passed in C.M.P.No.2816 of 2015 on the file of the Judicial Magistrate No.I, Thiruvanamalai District and return the original R.C. Book of the Car "Ford Figo" bearing Registration No.TN-19-F-0472 to the petitioner.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.T.Arul Government Advocate
(Criminal Side)

ORDER

Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C., against the order dated 11.05.2015 passed in C.M.P.No.2816 of 2015 on the file of the Judicial Magistrate No.I, Thiruvanamalai District and return the original R.C. Book of the Car "Ford Figo" bearing Registration No.TN-19-F-0472 to the petitioner.

2. According to the petitioner, he has purchased the car "FORD FIGO" bearing registration No.TN-19-F-0472 from one Raja Gopal for a valid consideration. The allegation is that when the car was purchased by said Raja Gopal, he had issued a cheque, which returned dishonoured, for which a complaint was preferred and FIR was registered under Section 420 IPC and the car was taken as a case property along with the original documents in C.P.No.35 of 2015. Seeking return of original documents of the car, the petitioner filed C.M.P.No.2816 of 2015, but, the same was dismissed. Challenging the same, the present Criminal Revision Case is filed.

3. Mr.M.Sathish Kumar, learned counsel for the petitioner would submit that though, the interim custody of the vehicle has been given to the petitioner, R.C.book is still in the custody of the Lower Court and he needs the original R.C.Book, because, it has to be kept in the car, as he has to take the car frequently to Bangalore to take care of his mother, who was admitted in the hospital.

4. Mr.T.Arul, learned Government Advocate would contend that during the pendency of the case, the R.C. Book will never be returned to any person and it will be kept only in the custody of the Court. He would further add that the petitioner can keep the xerox copy of R.C.Book in his car and he can go to other State and if necessary warrants, he can always show the copy of the Lower Court order and xerox copy of R.C.Book to the authority concerned.

5. Heard both sides. By consent, the Criminal Revision Case itself is taken up for final disposal at the stage of admission itself.

6. As rightly pointed by the learned Government Advocate that the vehicle is involved in the crime. Therefore, though, the vehicle has been returned to the person concerned, the R.C.Book has to be definitely kept in the custody of the Court. The petitioner will definitely have a xerox copy of the R.C.Book, so when he takes the car to other State, if any authority asks him to show the R.C.Book, he can always show the copy of the Lower Court order to show that the original R.C.Book is in the custody of that Court and he can show the xerox copy of the R.C.Book to the authority concerned. I find that there is nothing wrong in the order of the Lower Court and I do not find any reason to interfere with the same. The Criminal Revision Case is dismissed.

paa

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Inspector of Police
Town Police Station
Thiruvanamalai District.

2.The Judicial Magistrate No.I,
Thiruvanamalai District

3. The Public Prosecutor,
High court, Madras - 104.

Criminal Revision Case No. 559 of 2015

MSM(CO)
RVR 01/07/2015