

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No.861 of 2015

M.Thangavel

.. Petitioner/Petitioner

vs

State rep.by

The Inspector of Police

CSCID Department, Tirupur District.

.. Respondent/Respondent

Criminal Revision case filed under Sections 397 r/w 401 of Cr.P.C. against the order dated 26.09.2014 passed by the learned Judicial Magistrate No.IV, Coimbatore in CMP No.2548 of 2014.

For Petitioner : Mr.V.Vijayakumar
For Respondent : Mr.Mohd.Riyaz
Government Advocate
(Crl.side)

ORDER

This Criminal Revision case has been filed as against the order of dismissal dated 26.09.2014 passed by the learned Judicial Magistrate No.IV, Coimbatore in dismissing the petition filed by the petitioner seeking return of property, viz., Omni Van bearing registration No.TN-41 V 0848.

2. When the matter is taken up today, the learned Government Advocate (Criminal Side) would submit that confiscation proceedings has already been initiated and only because the petitioner did not appear before the authority concerned, the matter is kept pending and that the vehicle is in the custody of the District Revenue Officer, Tiruppur.

3. Learned counsel for the petitioner would submit that no notice has been served on the petitioner before initiating confiscation proceedings and such an order has been passed by the Court below, which is against law.

4. In view of the submissions made on either side, since confiscation proceedings has been initiated and that the vehicle has been kept in the custody of the District Revenue Officer, Tiruppur, the following direction is issued:

The petitioner shall appear before the District Revenue Officer, Tiruppur on 01.09.2015 and on such appearance being made, the authority, after giving opportunity to the petitioner, shall pass appropriate orders by considering the representation submitted by the petitioner, within a period of one month, thereafter.

6. With the above direction, this Criminal Revision case is disposed of.

vj2

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The Judicial Magistrate, No.IV, Coimbatore
2. -do- thro'the Chief Judicial Magistrate, Coimbatore.
3. The Public Prosecutor, High Court, Madras.
4. The Inspector of CSCID Department, Tirupur.
5. The District Revenue Officer, Tirupur.

sr(co)
prk8/9

Crl.RC.No.861 of 2015

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