



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

Cr1.R.C.(MD)NO.275 of 2015

Shuba

.. Revision Petitioner

Vs.

The State rep. By
The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri
Crime No.302 of 2014

.. Respondent

Prayer: Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., to set aside the order of the learned Judicial Magistrate, Tiruchendur in Cr.M.P.No.2426 of 2015 dated 09.03.2015 and consequently directing the return of Mahindra Scorpio bearing registration number TN69 AY 1719 to the petitioner.

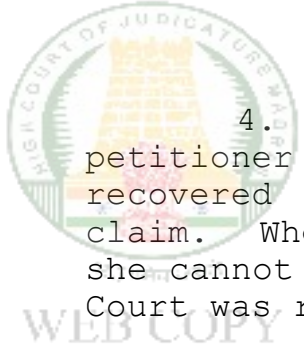
For Petitioner	:: Ms.Chamundi Bose
	for M/s.Kara Associates
For Respondent	:: Mr.P.Kannithevan
	Government Advocate (Cr1. side)

ORDER

The petitioner is the wife of one Mr.Paramasivam. Mr.Paramasivam was arrested in connection with the case in Crime No.302 of 2014 for the alleged offences under Sections 147, 148, 365, 302 and 201 IPC. During the course of investigation, it appears that a sum of Rs.2,36,000/- and a few vehicles were recovered from him. The seized articles had been produced before the Court. Thereafter, the petitioner filed Cr.M.P.No.2426 of 2015 before the learned Judicial Magistrate, Thiruchendur under Section 451 Cr.P.C. seeking return of the above sum of Rs.2,36,000/-. The learned Judicial Magistrate, Thiruchendur, dismissed the same by order dated 09.03.2015. Challenging the same, the petitioner is before this Court with this petition.

2. This petition has come up today for admission.

3. I have heard the learned counsel for the petitioner, the learned Government Advocate (Cr1. Side) for the respondent and I have also perused the records carefully.



4. A perusal of the records would go to show that the petitioner has got nothing to do with the amount. The amount was recovered only from her husband. Her husband had not made any claim. When the petitioner has got nothing to do with the amount, she cannot claim the amount. In such view of the matter, the trial Court was right in dismissing the petition.

5. Thus, I do not find any merit in this petition. Accordingly, the Criminal Revision Petition fails and the same is dismissed.

Sd/-
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

RR

To

1.The Judicial Magistrate,
Thiruchendur

2.The Chief Judicial Magistrate, Tirunelveli.

3.The Inspector of Police,
Arumuganeri Police Station,
Arumuganeri

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.R.C. (MD) NO.275 of 2015
02.07.2015

RG.23.07.2015

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