



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2015

CORAM:

THE HONOURABLE MRS.JUSTICE S.VIMALA

Criminal Revision Case (MD)No.412 of 2015

M.Jeyaseelan

.. Petitioner/Petitioner/Accused.

Vs.

Sub Inspector of Police,
Thevaram Police Station,
Thevaram, Theni District.
Cr.No.69 of 2015

.. Respondent/Respondent/Complainant.

Revision is filed under Section 397 and 401 Cr.P.C. to call for the records pertaining to the order of the learned Judicial Magistrate, Bodinayakanoor, dated 25.08.2015 in CrI.M.P.No.4513 of 2015 and set aside the same by directing the Judicial Magistrate, Bodinayakanoor to handover the vehicle Tractor bearing Registration No.TN 50 Y 1451 with trailer to the petitioner.

For Petitioner : Mr.M.A.M.Raja

For Respondent : Mr.P.Kandasamy

Government Advocate (crl. side)

ORDER

The dismissal of the petition filed under Section 451 Cr.P.C. is under challenge by the revision petitioner.

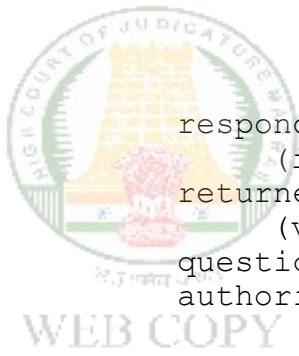
2.The petitioner sought for return of the tractor bearing registration No.TN 50 Y 1451. This petition has been dismissed on the ground that the petitioner herein is not the owner of the property. It is represented that the petitioner has not taken steps to get the registration number of the vehicle transferred in his favour; however, the erstwhile owner has given No Objection Certificate for handing over the vehicle in favour of the petitioner herein. The necessary statutory form to be filled up towards transfer of Ownership is also enclosed in the typed set of papers. So far as the trailer is concerned, RC is not yet produced and therefore, it is not ordered to be released.

3.Considering the fact that the erstwhile owner has given No Objection Certificate for transfer of the vehicle in favour of the petitioner herein and only a change of registration alone is pending, this Court deems it appropriate to direct return of the tractor to the petitioner subject to the following conditions:-

"(i) The petitioner shall produce documents before the first respondent to establish the ownership of the vehicle in question;

(ii) The petitioner shall deposit a sum of Rs.10,000/- (Rupees ten thousand only) with the respondent;

<https://hcservices.ecourts.gov.in/hcservices/>
The petitioner shall give an undertaking that he will not use the vehicle for any illegal activities in future and shall produce the same as and when required by the



respondent;

(iv) On doing so, the vehicle in question shall be returned to the petitioner;

(v) The petitioner shall not alienate the vehicle in question till the disposal of the proceedings before the authority concerned."

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

1.The Sub Inspector of Police, Thevaram Police Station, Thevaram, Theni District.

2.The Additional Public Prosecutor, Madurai Bench of Madras High court, Madurai.

+1CC to Mr.M.A.M.Raja, Advocate, SR.No. 54829.

Crl.R.C. (MD) No.412 of 2015
16.09.2015

AM/01.10.2015/SK.SKN/SAR-I/2P/4C