

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2016

CORAM :

THE HONOURABLE MR. JUSTICE G.CHOCKALINGAM

Cr1.R.C.No.645 of 2016

Palanisamy

... Petitioner

Vs.

1. THE INSPECTOR OF POLICE
B4 POLICE STATION
RACE COURSE GOPALAPURAM
COIMBATORE TAMILNADU 641 018.
2. M/S.HINDUJA LEYLAND FINANCE LTD.
REP.BY ITS MANAGER
GOWTHAM CENTRE AGENCIES
NO.1057/25 3RD FLOOR
AVALANCE ROAD COIMBATORE
3. HINDUJA LEYLAND FINANCE LTD.
REP.BY ITS MANAGER
#1 SARDAR PATEL ROAD
GUINDY CHENNAI
4. M/S.KOTAK MAHINDRA BANK
REP.BY ITS DEPUTY MANAGER MR.JUDIS GLASTON
GROUND FLOOR, 1054/33,
AVINASHI MAIN ROAD, ANNASILAI,
GOWTHAM CENTRE ANNEXE
GOPALAPURAM COIMBATORE

... Respondents

PRAYER: Petition filed under Section 397 read with 401 of the Criminal Procedure Code, to call for the records in CMP.No.4727 of 2015 dated 30.12.2015 on the file of the Judicial Magistrate No.III, Coimbatore and set aside the same as illegal, arbitrary and against the law and thereby direct the first respondent to handover the vehicle bearing Registration No.KA05 AC 4145 Chassis No.CPH 054217 and Engine No.CPE230898 to the petitioner.

For Petitioner : Mr.M.Sunil Kumar

For respondents : Mr.M.Mohammed Riyaz,
Government Advocate (crl.side) for R1
Mr.J.Franklin for R2.
Notice served. No appearance for R3.
Mr.S.Gopal for R4.

O R D E R

Heard both sides.

2.The learned counsel for petitioner has made an endorsement in the revision petition, which reads as follows :-

"case property viz., lorry may be sent for forensic report and time may be stipulated to get the report at the earliest and liberty may be granted to approach the trial Court to file fresh application for return of lorry after forensic report."

3.The above said endorsement is recorded.

4.The learned counsel for the second respondent has no objection in sending the vehicle to forensic department, to verify the Engine number and Chasis number.

5.In view of the above, the criminal revision is disposed of. The Judicial Magistrate No.III, Coimbatore is directed to take steps to send the vehicle to forensic department and obtain report from the forensic department within four months from the date of receipt of a copy of this order and the Court below is further directed to report the same to this Registry.

Sd/-

Assistant Registrar(CCC)

//True Copy//

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To

Sub Assistant Registrar

1.The Judicial Magistrate No.III,
Coimbatore.

2.The Inspector of Police,
B4 Police Station,
Race Course, Gopalapuram,
Coimbatore, Tamil Nadu.

3.The Public Prosecutor,
High Court, Madras.

Copy To : The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to Mr.M.Sunil Kumar, Advocate, S.R.No.43329

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AK(CO)
CA(24/08/2016)