

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Cr1.O.P. No.26119 of 2016

G.Suseela

... Petitioner

Vs

The State rep. by the
Inspector of Police,
All Women Police Station,
Vellore,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C to direct the respondent police to hand over the key of the petitioner's lodge viz. A.M.P.Lodge situated at Arani Road, Bagayam, Vellore.

For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.C.Emalias, APP

ORDER

The petitioner has come up with the present petition seeking a direction to the respondent to hand over the key of the lodge viz. A.M.P.Lodge situated at Arani Road, Bagayam, Vellore, belonging to her.

2. The case of the petitioner is that she is the owner of the lodge in question and is having valid registration for running the same. She leased out the said lodge to one Thirunavukkarasu, who is none other than the elder brother-in-law of the petitioner, for a sum of Rs.1,00,000/- per year, on instructions that it should be used only for the lawful purpose. While so, on 04.08.2013, a raid was conducted and a case in Crime No.29 of 2013 was registered for the offences under sections 3, 4, 5, 6 and 7 of Immoral Traffic (Prevention) Act, 1956, due to which, the lodge was closed and sealed. Hence, this petition.

3. Learned counsel for the petitioner submits that the

petitioner has no knowledge about the alleged offence committed by her brother-in-law. Learned counsel further submits that due to sealing, the lodge is in worst condition and if it is continued in the same position, the building would be in dilapidated condition.

4. Learned Additional Public Prosecutor submits that after enquiry, the lodge was locked and the key was handed over to the Judicial Magistrate No.I, Vellore.

5. Considering the facts and circumstances of the case, this Court is inclined to permit the petitioner to approach the learned Judicial Magistrate No.I, Vellore for return of the key of the lodge in question with necessary documents pertaining to the ownership of the lodge, lease agreement, extension of license issued by the competent authority etc. On such approach and on production of the necessary documents, the Judicial Magistrate No.I, Vellore shall verify each and every documents and pass appropriate orders, on merits, with regard to return of key of the lodge to the petitioner.

6. Accordingly, the criminal original petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1 The Judicial Magistrate, I, Vellore

2. The Inspector of Police,
All Women Police Station,
Vellore, Vellore District.

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

+1cc to Mr.E. Kannadasan, Advocate, S.R.No.71740

sm(CO)
md(08/12/2016)

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