



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Crl. R.C. (MD) No.522 of 2016
and Crl.M.P. (MD) No.6340 of 2016

Chinnan

... Revision Petitioner/Accused No.3

-vs-

State through:

The Inspector of Police,
Thilagarthidal Police Station,
Crime No.280 of 2013,
Madurai District.

... Respondent/Complainant

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the records relating to the order passed by the learned Judicial Magistrate No.II, Madurai in Crl.M.P.No.2677/2013 in Crime No.280 of 2013 dated 31.05.2016 set aside the same.

For Petitioner: Mr.M.Subash Babu

For Respondent: Mr.P.Kandasamy
Govt.Advocate (Crl.Side)

O R D E R

This revision has been filed by a third party, who claims to be the owner of the case property involved in this case.

2.In the course of investigation a car has been seized by the Thilagarthidal Police in connection with Crime No.280 of 2013 for offence under Section 406 and 420 I.P.C. The revision petitioner claiming to be the owner of the said vehicle filed petition under Section 451 Cr.P.C. The learned Judicial Magistrate No.II, Madurai dismissed it for non-prosecution.

3.The learned counsel for the petitioner submitted that an opportunity may be given to prosecute the property return petition before the Magistrate.

<https://hcservices.ecourts.gov.in/hcservices/>

4.Heard the learned Government Advocate (Criminal side).



5. In the facts and circumstances, it is ordered as under:

- i. This criminal revision is allowed.
- ii. The impugned order, dated 31.05.2016, passed in Cr.M.P.No.2677 of 2013, by the learned Judicial Magistrate No.II, Madurai, is set aside.
- iii. The learned Magistrate will restore the said Cr.M.P. on file and after giving opportunity to both sides shall dispose of the same in accordance with law at an early date.

Sd/-

Assistant Registrar(Writ)

/TRUE COPY/

Sub Assistant Registrar

sj

To:

- 1.The Judicial Magistrate No.II,
Madurai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 3.The Inspector of Police,
Thilagarthidal Police Station,
Madurai District.

+1cc to MR.M.Subash Babu,Advocate in SR.No. 43015

JAM/11.08.2016/NGM-MP/ 2p-5c

Crl. R.C. (MD) No.522 of 2016
and Crl.M.P. (MD) No.6340 of 2016

08.08.2016