



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No. 5381 of 2017

V.Senthilkumar : Petitioner

-Vs-

- 1.The Superintendent of Police,  
Theni District,  
Theni.
- 2.The Inspector of Police,  
Bodinayackanoor Town Police Station,  
Bodinayackanoor,  
Theni District.
- 3.The Inspector of Police,  
Palani Chettipatti Police Station,  
Palani Chettipatti, Theni District.
- 4.Amaran : Respondents

**PRAYER:** Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the 2<sup>nd</sup> respondent to take necessary steps to secure the Toyoto Innova Car bearing registration No.TN 60 C 4509 from the 4<sup>th</sup> respondent on the basis of the petitioner's representation on 07.03.2017.

For Petitioner : Mr.R.Suriyanarayanan  
For Respondents 1 to 3 : Mr.K.Anbarasan  
Government Advocate (Crl. Side)

### O R D E R

Seeking a direction to the 2<sup>nd</sup> respondent to take necessary steps to secure the Toyoto Innova Car bearing registration No.TN 60 C 4509 from the 4<sup>th</sup> respondent, the petitioner has come up with this petition.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondents 1 to 3.



3.It is the case of the petitioner that he is one of the partners of 'Sri Anand Motors' in Theni District and that the 4<sup>th</sup> respondent had taken a vehicle loan of Rs.2,50,000/- for purchasing Toyoto Innova Car and defaulted in making payment. Therefore, the petitioner has filed the present petition for a direction to the second respondent police to seize the Innova Car.

4.In the considered opinion of the Court, such a direction under Section 482 Cr.P.C. cannot be issued. However, it is always open to the petitioner to seize the car under the loan agreement and the services of the police for seizing the car cannot be utilized.

5.With the above observations, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

- 1.The Superintendent of Police,  
Theni District,  
Theni.
- 2.The Inspector of Police,  
Bodinayackanoor Town Police Station,  
Bodinayackanoor,  
Theni District.
- 3.The Inspector of Police,  
Palani Chettipatti Police Station,  
Palani Chettipatti, Theni District.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

Sj

vb/mr/sar4/16.06.2017/2p/5c

Order made in  
**CRL.O.P. (MD) No.5381 of 2017**  
**08.06.2017**