

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.279 of 2018

Ravikumar

... Petitioner

.. Vs ..

State

Rep. by Sub-Inspector of Police,
Ambur Taluk Police Station,
Ambur, Vellore District.
(Crime No.24 of 2018)

... Respondent

PRAYER:

Criminal Revision Case filed under Section 397 r/w. 401 of Cr.P.C., praying to modify the order passed in CMP No.173 of 2018 dated 02.02.2018 being passed by the Additional District Munsif-cum-Judicial Magistrate, Ambur, Vellore, directing the petitioner to produce the Original RC Book of the vehicle Swaraj Masta Goods vehicle bearing TN-48, AC-4672 since the same is under the custody of the vehicle financier.

For Petitioner : Mr.S.P.Arthi

For Respondent : Mr.R.Surya Prakash
Government Advocate (Crl.Side)

ORDER

This criminal revision case is filed by the petitioner praying to modify the order dated 02.02.2018 passed by the learned Additional District Munsif-cum-Judicial Magistrate, Ambur, Vellore, in C.M.P. No.173 of 2018, directing the petitioner to produce the Original RC Book of the vehicle viz., Swaraj Masta Goods vehicle bearing Registration No.TN-48, AC-4672, since the same is under the custody of the vehicle financier.

2. Learned counsel appearing for the petitioner submitted that the petitioner is the owner of the vehicle viz., Swaraj Masta bearing Registration No.TN-48, AC-4672, and the said vehicle was seized by the respondent police in connection with

Crime No.24 of 2018 for the offences under Sections 379 and 430 IPC. Hence, the petitioner has filed a petition in C.M.P. No.173 of 2018 before the learned Additional District Munsif-cum-Judicial Magistrate, Ambur, Vellore, seeking interim custody of the said vehicle and the said petition was allowed on certain conditions and one among the condition is that the petitioner should surrender the Original R.C. Book to the trial Court. Aggrieved by the said conditional order, the petitioner has preferred this criminal revision case before this Court seeking to modify the said condition.

3. Learned Government Advocate (Crl.Side) was heard. This Court has considered the submissions made by the learned counsel on either side and perused the records.

4. Considering the submissions made by the learned counsel for the petitioner and also considering the objection raised by the learned Government Advocate, the order passed by the learned Additional District Munsif-cum-Judicial Magistrate, Ambur, Vellore, in C.M.P. No.173 of 2018, relating to surrender the Original R.C. Book is hereby modified and the petitioner is permitted to produce the Original R.C. Book to the Court within 15 days from the date of receipt of a copy of this order, which is now said to be with the hire purchaser and after endorsement of the Court that this is a case property, the same shall be returned to the hire purchaser with an undertaking that as and when required, he has to produce the same failing which steps will have to be taken in accordance with law. In other aspects, the order of the trial Court shall remain unaltered.

Sd/-
Assistant Registrar(CO)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

Jrl

To

1. The Additional District Munsif-cum-Judicial Magistrate, Ambur, Vellore.
2. The Chief Judicial Magistrate, Vellore.
3. The Sub-Inspector of Police, Ambur Taluk Police Station, Ambur, Vellore District.

4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.S.P.Arthi, Advocate, S.R.No.29914

Cr1.R.C.No.279 of 2018

ssi(co)
cs/16/05/18



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