

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

Crl.R.C.No.532 of 2018

Magesh@Magesh Kumar

...Petitioner

..Vs..

The Inspector of Police,
J-3, Guindy Police Station,
Chennai.

(Crime No.2674 of 2017)

...Respondent

PRAYER in Crl.RC.No.545 of 2018: Petition filed under Section 397 read with 401 of the Criminal Procedure Code, to call for the records proceeding in Crl.M.P.No.457 of 2018 dated 20.03.2018 on the file of the learned IX Metropolitan Magistrate Saidapet, Chennai and set aside the same subsequently direct to the respondent to grant interim custody of property of the vehicle bearing Reg.No.TN 85 D 1022.

For Petitioner : Mr.G.Prabhu

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

ORDER

Heard both sides.

2. The petitioner herein is the third party. The vehicle in question, namely a two wheeler having Registration Number TN 85 D 1022 was seized by the police for the offence under Section 319 IPC in Crime No.2674 of 2017 and out of two accused persons, the first accused was originally arrested and remanded to the Judicial custody at that time, and the owner for the vehicle has preferred this petition for return of the vehicle on the ground that the accused Nijanthan has asked for medical assistance and he gave the vehicle and therefore, sought the return of the vehicle, which was dismissed by the IX Metropolitan Magistrate on the ground that another accused is absconding and the matter is under investigation.

3. The learned counsel for the petitioner contended that subsequently, the accused, he was arrested was also granted bail.

4. The learned Government Advocate opposed the revision on the ground that the offences of this nature is on the rise, and that another accused is still absconding while the vehicle was used for committing the offence.

5. Considering the fact that the vehicle was used to commit the offence of chain snatching and A2 is still absconding and nature and gravity of the alleged offence, I am not inclined to grant the relief sought for in this revision.

6. Accordingly, this Criminal Revision Petition is dismissed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1.The IX Metropolitan Magistrate,
Saidapet, Chennai

2.The Chief Judicial Magistrate, Egmore, Chennai.

3.The Inspector of Police, J-3, Guindy Police Station, Chennai.

4.The Public Prosecutor, High Court Madras.

Cr1.R.C.No.532 of 2018

PA (CO)

RRK (31/05/18)

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