

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 12.11.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.8615 of 2018

S.Vasuki

... Petitioner

Vs.

The State represented by
Inspector of Police,
CBCID, Villupuram Police Station,
Villupuram, Villupuram District.
(Crime No.01 of 2016)

... Respondent

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor.

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, to issue direction, directing the learned Chief Judicial Magistrate, Villupuram, Villupuram District to return the Original R.C. Book of the Car bearing Registration No. TN-01-AT-8852 (Skoda) to the petitioner.

ORDER

This petition has been filed for a direction to the court below to return the original R.C. Book of the Car belonging to the petitioner.

2. The learned counsel for the petitioner would submit that the petitioner approached this Court seeking for a modification of the conditional order passed by the learned Chief Judicial Magistrate, Villupuram in P.R.C.No.3 of 2017. When the matter came up for enquiry, the learned Additional Public Prosecutor took a specific stands that the seized car is not a material object to prove the charges against the accused person and recording the same, this Court disposed of the criminal original petition and completely relaxed all the conditions.

3. The learned counsel for the petitioner would submit that by virtue of stand taken by the prosecution, there is no requirement to keep the original R.C. Book pertaining to the Car before the court below. Therefore, the present petition has been filed seeking for return of original R.C. Book of the car belonging to the petitioner.

4. In view of the fact that the seized car is not material object in the case that is pending before the court below, there is no meaning in retaining the original R.C. Book of the car. Therefore, it will be appropriate that the original R.C. Book of the car belonging to the petitioner shall be returned back to the petitioner.

5. Hence, this criminal original petition is disposed of, with a direction to the learned Chief Judicial Magistrate, Villupuram to return the original R.C. Book of the car bearing Registration No. TN-01-AT-8852 (Skoda) to the petitioner. It is made clear that the petitioner shall file an appropriate application before the court below seeking for return of the R.C. Book and the court below shall pass appropriate orders in line with the directions given by this Court.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

dss/nmm

To

1. The Chief Judicial Magistrate Court,
Villupuram,
Villupuram District.
2. The Inspector of Police,
CBCID, Villupuram Police Station,
Villupuram, Villupuram District.
3. The Public Prosecutor,
Madras High Court, Madras

Cr1.O.P.No.8615 of 2018

RK(CO)
SP(03/12/2018)

WEB COPY