

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.27454, 27455, 27508 & 27513 of 2018

S.Subburaj

... Petitioner in Crl.O.P.No.27454 of 2018

M.A.Prabhakaran

... Petitioner in Crl.O.P.No.27455 of 2018

V.Selvaraj

.. Petitioner in Crl.O.P.No.27508 of 2018

S.Ramasamy

.. Petitioner in Crl.O.P.No.27513 of 2018

Vs

The State rep by
Inspector of Police
H-8 Thiruvottiyur Police Station,
Chennai.
(Crime No.1128 of 2018)

.. Respondent in all Crl.O.Ps

COMMON PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Judicial Magistrate, Thiruvottiyur, Chennai, with appropriate order or orders directing the Judicial Magistrate to expeditiously dispose the case pending before her in CMP.Nos.6563/2018, 6568/2018, 6564/2018 and 6549/2018 respectively.

For Petitioner : Mr.R.C.Paul Kanagaraj
in Crl.O.P.No.27454 of 2018

Mr.C.B.Motcham
in Crl.O.P.No.27455 of 2018

Mr.K.C.Jaiprakash
in Crl.O.P.No.27508 of 2018

Mr.J.Kather Hussain

Crl.O.P.No.27513 of 2018

For Respondent : Mr.M.Mohamed Riyaz
in all Crl.O.Ps Additional Public Prosecutor

C O M M O N O R D E R

These petitions have been filed for a direction to the Judicial Magistrate, Thiruvottiyur and pass orders on the petitions filed by the petitioners, seeking for the release of the vehicles.

2. The learned counsel for the petitioners would submit that the vehicles were seized by the respondent police pursuant to FIR registered for an offense under Section 4 {(1-A)} ***punishable under Section 21(1)** of the Mines and Minerals (Development and Regulation) Act 1957. The petitioners have filed these petitions seeking for the return of the vehicles and the counsel for the petitioners have also brought to this notice of this Court, the decision of the Division Bench of this Court made in W.P. (MD) Nos.22023 to 22026 of 2018 , etc., in the case of Gandhi and others dated 29.10.2018. The petitions filed by the petitioners herein are kept pending without passing any orders and the vehicles have been in the police custody for more than two months and they are exposed to sun and rain. Therefore, these petitions have been filed seeking for appropriate directions.

3. This Criminal Original Petitions are disposed of with a direction to the Judicial Magistrate, Thiruvottiyur, to dispose of the petitions within a period of ten days from the date of receipt of a copy of this order by following the guidelines issued by the Division Bench of this Court in W.P. (MD) Nos.22023 to 22026 of 2018 etc., dated 29.10.2018.

Sd/-

Assistant Registrar (CS V)

Dated: 28/11/2018

***Corrected as per order
of this Court dated 05/12/2018
made herein**

Sd/-

Assistant Registrar (CS V)

11/12/2018

//True Copy//

Sub Assistant Registrar

SSR

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

To

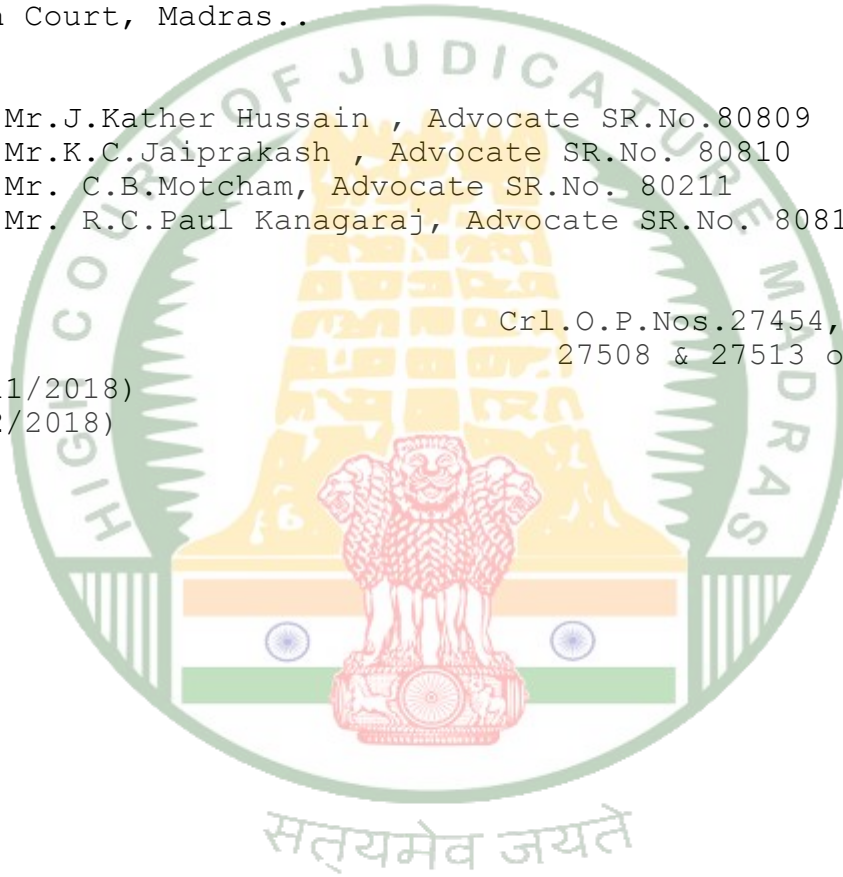
1. The Judicial Magistrate,
Thiruvottiyur.
2. The Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras..

**To be substituted
For the order
already despatched
on 30/11/2018**

+1cc to Mr.J.Kather Hussain , Advocate SR.No.80809
+1cc to Mr.K.C.Jaiprakash , Advocate SR.No. 80810
+1cc to Mr. C.B.Motcham, Advocate SR.No. 80211
+1cc to Mr. R.C.Paul Kanagaraj, Advocate SR.No. 80812

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ASK(29/11/2018)
GN(11/12/2018)



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