

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 06.12.2018
CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.Nos.28476 of 2018

C.Siva@ Sivanandam

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Ariyur Police Station,
Vellore District
Crime No.219 of 2018.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C, to set aside the order in Crl.M.P.No.2861 of 2018 passed by the Judicial Magistrate No.1, vellore, dated 01.11.2018 and order return of vehicle TATA Motors, bearing Reg.No.TN23 CZ 5766, Enging No.697TC69EUY105373, Chassis No.MAT37308552E07566 belongs to the petitioner under the custody of the Judicial Magistrate No.1 Vellore.

For Petitioner
For Respondent

: Mr.S.Paul Gnanamuthu
: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed aggrieved by the order passed by the Judicial Magistrate No.1, Vellore, in Crl.M.P.No.2861 of 2018 on 01.11.2018, wherein the Court below has returned the application filed for return of property, on the ground that the Hon'ble Madurai Bench of Madras High Court has passed an order dated 24.09.2018 in W.P.(MD).No.7595 of 2018, restraining the return of vehicle involved in sand theft.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

3.The Court below did not take into notice the subsequent order that was passed by the Madurai Bench of Madras High Court in W.P.(MD).Nos.22023 to 22026 of 2018 and etc. batch cases on 29.10.2018 in this regard, wherein, this Court has given specific directions to deal with applications filed for return of the property.

4.This Criminal Original Petition is disposed of by giving liberty to the petitioner to represent the petition before the Court below and the Court below is directed to follow the guidelines given in W.P.(MD). Nos.22023 to 22026 of 2018 and etc. batch cases on 29.10.2018 and pass appropriate orders.

Sd/-

Assistant Registrar(CS viii)

//True Copy//

Sub Assistant Registrar

rm
To

1.The Inspector of Police,
Ariyur Police Station,
Vellore District
Crime No.219 of 2018.

2. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Paul Gnanamuthu , Advocate SR.No.83810

CRL.O.P.Nos.28476 of 2018

ASK(10/12/2018)

06.12.2018