

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.Nos.29628,29629,29630,29633,29636,29639,29642,29643,
29645,29649,29652,29654,29657,29658,29660,29662 & 29664 of
2018

- | | |
|----------------------|--------------------------------------|
| 1.S.Dhiliprajan | ...Petitioner in Crl.O.P.No.29628/18 |
| 2.P.Dhatchanamoorthy | ...Petitioner in Crl.O.P.No.29629/18 |
| 3.K.Vasu Kannan | ...Petitioner in Crl.O.P.No.29630/18 |
| 4.S.Mohan | ...Petitioner in Crl.O.P.No.29633/18 |
| 5.Kotteeswaran | ...Petitioner in Crl.O.P.No.29636/18 |
| 6.C.Palanivel | ...Petitioner in Crl.O.P.No.29639/18 |
| 7.A.Sirajudeen | ...Petitioner in Crl.O.P.No.29642/18 |
| 8.C.Ajithkumar | ...Petitioner in Crl.O.P.No.29643/18 |
| 9.R.Murali | ...Petitioner in Crl.O.P.No.29645/18 |
| 10.H.Manojkumar | ...Petitioner in Crl.O.P.No.29649/18 |
| 11.K.Siva | ...Petitioner in Crl.O.P.No.29652/18 |
| 12.N.Krishnamoorthy | ...Petitioner in Crl.O.P.No.29654/18 |
| 13.R.Suriya | ...Petitioner in Crl.O.P.No.29657/18 |
| 14.T.Mohana | Petitioner in Crl.O.P.No.29658/18 |
| 15.S.Ramasamy | ...Petitioner in Crl.O.P.No.29660/18 |
| 16.C.Ajithkumar | ...Petitioner in Crl.O.P.No.29662/18 |
| 17.M.Murugan | ...Petitioner in Crl.O.P.No.29664/18 |

Vs.

The State of Tamil Nadu rep by
Inspector of Police,
H-8 Thiruvottiyur Police Station,
Chennai.

(Crime No.1128 of 2018) ...Respondent on all Crl.O.Ps

COMMON PRAYER: Criminal Original Petition filed under
Section 482 of the 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 No.6570 of 2018.

1. CRL OP No.29628 of 2018

To direct the Judicial Magistrate, Thiruvottiyur, Chennai
with appropriate order or orders directing the Judicial
Magistrate to expeditiously dispose the case pending before

2. CRL OP No.29629 of 2018

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 No.6557/2018

3. CRL OP No.29630 of 2018

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 No.6562/2018

4. CRL OP No.29633 of 2018

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 No.6561/2018

5. CRL OP No.29636 of 2018

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 NO.6560/2018.

6. CRL OP No.29639 of 2018

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 No.6565/2018.

7. CRL OP No.29642 of 2018

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 No.6556/2018.

8. CRL OP No.29643 of 2018

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 No.6554/2018.

9. CRL OP No.29645 of 2018

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 No.6569/2018.

10. CRL OP No.29649 of 2018

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 NO.6567/2018.

11. CRL OP No.29652 of 2018

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 NO.6559/2018.

12. CRL OP No.29654 of 2018

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 NO.6558/2018.

13. CRL OP No.29657 of 2018

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 NO.6552/2018.

14. CRL OP No.29658 of 2018

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.No.6751 of 2018.

15. CRL OP No.29660 of 2018

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.No.6547 of 2018.

16. CRL OP No.29662 of 2018

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.No.6555 of 2018.

17. CRL OP No.29664 of 2018

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.No.6750 of 2018.

For Petitioner in Crl.O.P.Nos.29628,29630,
29633,29636,29639,29642,29629,29649,
29652,29654/2018 : Mr.C.B.Motcham

For petitioner in Crl.O.P.Nos.29643,29645,
29657,29658,29660,29662,29664/2018
: Mr.J. Kather Hussain

For Respondents in all Crl.O.Ps : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

COMMON ORDER

All these petitions have been filed seeking for direction to the Judicial Magistrate, Thiruvottiyur, Chennai to dispose of the petitions filed by the petitioners seeking for return of the vehicle, which has been seized by the respondent police for offences under the Mines and Minerals (Development and Regulation) Act 1957.

2 This Court has given detailed guidelines with regard to the manner in which the petition for return of vehicle should be dealt with, whenever the same is seized under the above said Act. The guidelines were given in W.P.(MD).Nos.19936 of 2017, 7595, 18606, 18802, 20487, 20259, 20948, 18917, 18428, 18429, 18958 and 21485 of 2018 dated 29.10.2018.

3 Paragraph 13 of the said order specifically deals with the manner in which the concerned Courts will have to deal with the petition filed for return of vehicle.

4 All these Criminal Original Petitions are disposed of, with a direction to the Judicial Magistrate, Thiruvottiyur, Chennai to pass appropriate orders in the petitions filed by the petitioners for return of vehicle, by following the guidelines issued by this Court in the order referred supra, within a period of two weeks from the date of receipt of a copy of this order.

Sd/--

Assistant Registrar(CS vi)

//True Copy//

Sub Assistant Registrar

mpa/rpl

To

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

+4ccs to Mr.G.P.Motcham , Advocate SR.No. 89081

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29636,29639,29642,29643,29645,
29649,29652,29654,29657,29658,29660,
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ASK(20/12/2018)