



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH
Crl.O.P.[MD].No.9258 of 2018

WEB COPY

Kannan : Petitioner
Vs.

The Inspector of Police,
P.E.W Alangulam Police Station,
Alangulam.

Crime No.1053 of 2017 : Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the respondent to implement the order dated 20.12.2017 in Cr.M.P.No.6005 of 2017 on the file of the learned Judicial Magistrate Court, Alangulam by directing the respondent police to produce the Tipper Lorry bearing Registration No.TN47-S-9965 before the learned Judicial Magistrate Court, Alangulam.

For Petitioner : Mr.J.Ashok

For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate(criminal side)

ORDER

This criminal original petition has been filed for a direction to the respondent police to comply with the order passed by the Court below and produce the vehicle before the Court below.

2. It is seen from the records that the vehicle belonging to the petitioner is a subject matter for an offences under Sections 4 (1) (aaa), 4(1) (A) TNP Act, 468, 471 and 473 of I.P.C. in Crime No.1053 of 2017.

3. The petitioner had filed a petition before the Court below for a direction to the police to produce the vehicle belonging to the petitioner. The Court below has also passed an order dated 20.12.2017 directing the respondent police to produce the vehicle before the Court below. This order has not been complied with by the respondent. Hence, the present petition has been filed. In view of the order passed by the Court below, the respondent police is bound to comply with the order and produce the vehicle before the Court below. If the respondent police is aggrieved by the order of the Court below, the same should be challenged in the manner known to law and without doing so, the respondent police cannot continue to hold the vehicle in disobedience of the order passed by the Court below.

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

4. Therefore, there shall be a direction to the respondent



police to produce the vehicle belonging to the petitioner before the learned Judicial Magistrate Court, Alangulam within a period of one week from the date of receipt of copy of this order.

5. The criminal original petition is disposed of with the above directions.

Sd/
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar (CS-I)

To

- 1.The Judicial Magistrate, Alangulam.
- 2.The Inspector of Police,
P.E.W Alangulam Police Station,
Alangulam.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.O.P.[MD].No.9258 of 2018
05.09.2018

SJI
KK/SKN/SAR-1/28.09.2018/2P-4C