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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 09.07.2018

DELIVERED ON : 13.07.2018

CORAM :

THE HONOURABLE MRS. JUSTICE R. THARANI

Cr1.R.C.(MD) No.373 of 2018

and

Cr1.M.P.(MD)No.5237 of 2018

Manimegalai

... Petitioner

vs.

1.State rep. Through
Inspector of Police,
Kolidam Police Station,
Trichy District.
(Crime No.642 of 2017)

2.Logeshwaran (Suo-Moto)
The Sub Inspector of Police,
Kolidam Police Station,
Trichy District.

... Respondents

Prayer:- Criminal Revision Petition filed under Sections 397 r/w. 401 of the Code of Criminal Procedure, 1973, to set aside the order passed by the learned Judicial Magistrate No.IV, Trichy in Cr.M.P.No.6363 of 2018 dated 11.06.2018.

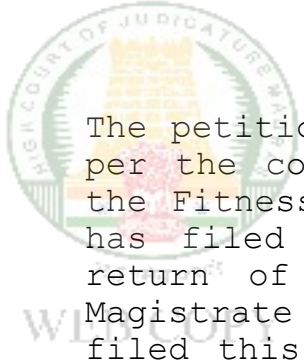
For Petitioner	: Mr.K.Praveen Kumar
For Respondents	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl.Side)

ORDER

Heard Mr.K.Praveen Kumar, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. Side) appearing for the respondents.

2.This petition has been filed to set aside the order passed by the learned Judicial Magistrate No.IV, Trichy in Cr.M.P.No.6363 of 2018 dated 11.06.2018.

3.On the side of the petitioner, it is stated that the vehicle of the petitioner bearing Registration No.TN-28-J-8719 was seized by the first respondents in Crime No.642 of 2017 and the vehicle was produced before the Court. The petitioner filed a petition in Cr.M.P.No.11009 of 2017 for return of the vehicle. The vehicle was returned to the petitioner on 19.12.2017 with certain conditions.



The petitioner produced the original R.C. Book before the Court. As per the condition imposed for return of the property for renewing the Fitness Certificate, the R.C. Book is necessary. The petitioner has filed a petition before the learned Judicial Magistrate for return of the R.C. Book as an interim direction. The learned Magistrate dismissed the petition and hence, the petitioner has filed this petition and prayed for the return of R.C. Book as an interim measure for renewing the Fitness Certificate and undertake to produce the original R.C. Book after obtaining the Fitness Certificate.

4. On the side of the respondents, it is stated that the vehicle was returned on certain conditions and one such conditions is to hand over the original R.C. Book before the Court. The original R.C. Book may be returned to the petitioner on condition to re-produce the original R.C. Book within a period of 10 days from the date of receipt of copy of the R.C. Book.

5. Records perused. It is stated that the R.C. Book is necessary for obtaining the Fitness Certificate for the vehicle. In the above circumstances, this Court deems it fit to return the original R.C. Book to the petitioner on endorsement of acknowledgement and on identification and on conditions to produce the attested xerox copy of the R.C. Book, and on further condition that the petitioner should return the original R.C. Book after a period of two weeks from the date of receipt of original R.C. Book from the lower Court.

6. With the above direction, this Criminal Revision Case is allowed. Consequently, Crl. M.P. (MD) No. 5237 of 2018 is closed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No. IV,
Trichy.

2. The Chief Judicial Magistrate,
Trichy.

3. The Inspector of Police,
Kolidam Police Station,
Trichy District.



4. Logeshwaran (Suo-Moto)
The Sub Inspector of Police,
Kolidam Police Station,
Trichy District.

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5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.K.Praveen Kumar, Advocate in SR.No.12962.

MRN

DS/SV/SAR-2 :16.07.2018:3P/7C

Crl.R.C. (MD) No.373 of 2018
13.07.2018