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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.R.C(MD)No.602 of 2018

B.Gnanasekaran .. Revision Petitioner/Appellant

Vs.

The Sub Inspector of Police,
Kadamalaikundu Police Station,
Theni District. .. Respondent / Respondent

PRAYER: Criminal Revision Case is filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to revise the order dated 03.10.2018 in Crl.M.P.No.8888 of 2018 on the file of the learned Judicial Magistrate, Aundipatti.

For Petitioner : Mr.J.Sathiaraj

For Respondent : Mr.A.Robinson
Government Advocate (Criminal side)

ORDER

Heard the learned counsel for the revision petitioner and perused the materials available on record.

2. This petition is filed for return of vehicle, which has been involved in a case of attempt to murder. According to the FIR, the petitioner herein-Gnanasekaran, who was driving the Maruthi Swift vehicle bearing Registration No.TN-07-BE-4536 dashed against the two wheeler driven by the defacto complainant-Selvendran with the intention to kill him. In the complaint, the motive for such an act has also been spellout. The trial Court after considering the facts of the case, dismissed the petition filed under Section 451 Cr.P.C., holding that since the property involved in the case is one of attempt to murder, the said property is required during the trial.

3. The incident has taken place on 04.09.2018. FIR has been registered on 06.09.2018. The defacto complainant has sustained fractured injury due to the impact of the accident involving car and his two wheeler. The specific allegation against the accused is that he tried to run over the defacto complainant with an intention to kill him. The vehicle has to be surrendered to the motor vehicle inspector for inspection.

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4. In the said circumstances, the trial Court has rightly dismissed the application, which requires no interference. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

The Judicial Magistrate,
Aundipatti,
Theni District.

+1cc to Mr.J.Sathiaraj,Advocate Sr.No.94367

PJL

MK/SKN/SAR3/06.12.2018/2P/3C

ORDER MADE IN
Crl.R.C(MD)No.602 of 2018
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