



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24830 of 2018

P.Francis Raja

... Petitioner

Vs

1.The Secretary,
Regional Transport Authority,
Srirangam,
Trichy District.

2.The Inspector of Police,
Musiri Police Station,
Musiri,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to release my mini bus bearing Registration No.TN 25-A-5285 forthwith.

For Petitioner : Mr.A.C.Asaithambi

For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

The writ petitioner's vehicle was involved in an accident. Hence Crime No. (*) 322 of 2018 was registered by the second respondent for the offences under Section 279 and (*) 337 of IPC. The grievance of the petitioner is that the second respondent is retaining the vehicle and did not produce the same before the Motor Vehicle Inspector. Therefore, the petitioner seeks its return.

2.The fact remains that the bus in question was seized by the second respondent in connection with a criminal case. Therefore, in the very nature of things, the vehicle will have to be produced before the Jurisdictional Magistrate.

3.The second respondent is directed to produce the vehicle forthwith before the Jurisdictional Magistrate. It is for the petitioner to move the Jurisdictional Magistrate by filing a petition under Section 451 of Cr.P.C. It is directed that the



Jurisdictional Magistrate shall dispose of the said application on merits and in accordance with law without any delay.

4. Accordingly, this writ petition is disposed of. No costs.

WEB COPY

Sd/-

Assistant Registrar (WRITS)

Sd/-

Assistant Registrar (AS)

(*) Revised order Copy is issued

/True Copy/

Sub Assistant Registrar (CS-IV)

To

**(*) To be substituted to the order dated 18.12.2018
already despatched on 19.12.2018.**

1. The Chief Judicial Magistrate,
Trichy District.

2. The Secretary,
Regional Transport Authority,
Srirangam,
Trichy District.

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

• 1 CC TO Mr. A.C. ASAI THAMBI , ADVOCATE IN SR No.100749.
+1 cc to Special Government Pleader, SR.No.101047.

PNN

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W.P. (MD) No.24830 of 2018
18.12.2018