



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE B. GOKULDAS

Crl.R.C. (MD) .Nos.27 and 28 of 2017

WEB COPY

Rabeek Raja

.. Petitioner/Petitioner/Property Owner in both the petitions

Vs.

State Represented by
The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.
Cr.No.166/2012

.. Respondent/Respondent/Complainant in both the petitions

Prayer:- Criminal Revision petitions are filed under Section 397 r/w Section 401 of Cr.P.C. to call for the records relating to order passed by the Judicial Magistrate, Melur, Madurai in Crl.M.P.No.5463 of 2016 in Crl.M.P.No.6365 of 2012 and Crl.M.P.No.5470 of 2016 in Crl.M.P.No.6366 of 2012 respectively in Cr.No.166 of 2012, dated 07.12.2016 and set aside the same.

For Petitioner : Mr.S.Saravanakumar in both the petitions
For Respondent : Mrs.S.Prabha, in both the petitions
Government Advocate (Criminal Side)

ORDER

The Criminal Revision cases are filed to call for records relating to orders passed by the learned Judicial Magistrate, Melur, Madurai, in Crl.M.P.No.5463 of 2016 in Crl.M.P.No.6365 of 2012 and Crl.M.P.No.5470 of 2016 in Crl.M.P.No.6366 of 2012 respectively in Cr.No.166 of 2012, dated 07.12.2016 and set aside the same.

2. Learned counsel for the petitioner and the learned Government Advocate (criminal Side) for the respondent present and heard.

3. Now, the petitioner seeking the prayer for return of R.C. book only for the limited purpose i.e. to renew the certificate and to pay necessary tax, which is mandatory by the Road Transport Act.

4. In these circumstances, the learned Government Advocate (Criminal Side) represented as the petitioner is having those records from the source of income obtained through illegal quarry business.



5. There is nothing wrong to renew the Registration Certificate and to pay the taxes of the vehicles, if the vehicles are being in the name of the petitioner even the vehicle is being under the judicial custody in any case. Hence, this Court is of the view that the prayer now sought by the petitioner can be granted in favour of the petitioner. The Trial Court is hereby directed to send the R.C. book to the Regional Transport Officer, Madurai (North), by Court process on or before 15.03.2017 by which the petitioner can approach the Regional Transport Officer for renewal of R.C. Book and to pay the necessary tax. Moreover, The Regional Transport Officer, Madurai (North), is also directed to return the R.C. book to the Court concerned, i.e. the Court from where he received the R.C. Book, after completion of the process of Renewal, within a period of 10 days from the date of receipt of R.C. Book. The petitioner is directed to approach the concerned Regional Transport Officer, Madurai (North), after 15.03.2017 or within 10 days from the date on which the Regional Transport Officer, received the R.C. Book. The criminal revision cases are disposed of with the above direction.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate, Melur, Madurai

2.The Sub Inspector of Police,
Keelavalavu Police Station,
Madurai District.

3.The Regional Transport Officer,
Madurai (North),
Madurai.

+2cc to Mr.S.Saravanakumar,Advocate, Sr No.10875

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