

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.13617 of 2016

P.Mohan Kumar

... Petitioner

Vs.

State by the Sub Inspector of Police,
Wallajah P.S.,
Vellore District.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Hon'ble Judicial Magistrate No.II to return the original R.C. Book for the vehicle registration No.TN 02 U 2525 Ford Endeavor car.

For Petitioner : Ms.S.S.Jhothi Vani

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor.

O R D E R

This petition has been filed to direct the learned Judicial Magistrate No.II to return the original R.C. Book for the vehicle viz., Ford Endeavor car, bearing registration No.TN 02 U 2525.

2.It is seen that the petitioner is owner of a Ford Endeavor Car bearing registration No.TN 02 U 2525, which was stolen by one Balaji of Wallajah. In this regard, a case was registered in Crime No.349 of 2015 for the offences under Section 379 of IPC and the vehicle was recovered and handed over to the petitioner before the learned Judicial Magistrate -II, Walajah. During that the original R.C. Book was deposited before the Court. Since the said car was hypotheticated with a financier, insurance has to be paid for the vehicle for which original R.C. Book is needed. Hence, the petitioner filed a petition in CMP.No.673 of 2016 before the learned Judicial Magistrate-II, Walajah seeking to return the original R.C.Book, which petition was dismissed by the learned Magistrate stating that the F.C. Validation is till 23.03.3020 and full time insurance has been paid to the car. Hence, the petitioner has

filed the present petition with the aforesaid prayer.

3.The learned Additional Public Prosecutor submitted that the original R.C.Book is lying on the file of the learned Judicial Magistrate No.II, Walajah.

4.Considering the facts and circumstances of the case, the prayer sought for by the petitioner cannot be considered by this Court. However, the petitioner is at liberty to approach the Court below to return his original R.C.book, if not already returned.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

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To

1.The the Sub Inspector of Police,
Wallajah P.S.,
Vellore District.

2.The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

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RSK (CO)
GMY (22/05/2019)

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