

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CrI.O.P.No.4664 of 2018

S.Megala

.. Petitioner

Vs.

The Inspector of Police,
Mecheri Police Station,
Mettur Taluk,
Salem District.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the Judicial Magistrate No.II at Mettur to allow the petitioner to surrender the vehicle registration No.TN52 F 2787 for the Crime No.528 of 2017 on the file of respondent police and return the same to the petitioner forthwith.

For Petitioner : Mr.K.Sathish Kumar

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

O R D E R

This petition has been filed for a direction to the Judicial Magistrate No.II, Mettur to allow the petitioner to surrender the vehicle in Crime No.528 of 2017.

2.The petitioner claims to be the owner of the property and submits that the vehicle belonging to the petitioner has been shown to be involved in a Crime registered in Crime No.528 of 2017. Pursuant to the same, the respondent police is taking steps to seize the vehicle. Therefore, the present petitioner was filed stating that the petitioner herself will surrender the vehicle before the Court and seek for return of the vehicle.

3.The relief as sought for by the petitioner cannot be granted by this Court. It is for the respondent police to take a decision regarding the seizure of the vehicle and producing the same before the Court and the petitioner cannot volunteer to handover the vehicle before the Court. This is a procedure which is unheard of and not in line with the provisions of the Code of Criminal Procedure.

4.In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vs

To

1.The Judicial Magistrate No.II,
Mettur.

2.The Inspector of Police,
Mecheri Police Station,
Mettur Taluk,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Sathishkumar, Advocate, S.R.No.48244

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PM(CO)

RRS (01/07/2019)



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