

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.Nos.927 to 929 of 2012 & 1204 of 2009
and M.P.No.1 of 2009

K.Duraiyarasan,
Chair Person,

Sarvodaya Mutual Benefit Trust,
Sarvodaya Livelihood Mutual Benefit Trust,
No.514, Thanippadi Mani Road,
Thandarampattu,
Thiruvannamalai.

... Petitioner in all the
Crl.R.C.Nos./Defacto Complainant

Vs.

1.State: The Inspector of Police,
District Crime Branch,
Thiruvannamalai.

... Respondent in all the
Crl.R.C.Nos./Respondent

2.M.Vasu.

... Respondent in
Crl.R.C.Nos.927 to 929 of 2012/
Petitioner

3.Vijayarani

... Respondent in
Crl.R.C.No.1204 of 2009

PRAYER in Crl.R.C.No.927 of 2012: Criminal Revision Case is filed under Sections 397 & 401 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order in CMP No.7674 of 2009 dated 07.11.2009 of the learned Judicial Magistrate No.1, Thiruvannamalai and set aside the same and consequently to direct the first respondent to seize the vehicle namely bearing Reg. No.TATA ACE TN 25 L 5923 and to handed over the property to the petitioner.

PRAYER in Crl.R.C.No.928 of 2012: Criminal Revision Case is filed under Sections 397 & 401 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order in CMP No.7675 of 2009 dated 07.11.2009 of the learned Judicial Magistrate No.1, Thiruvannamalai and set aside the same and consequently to direct the first respondent to seize the vehicle namely bearing Piasio Ape Reg. No.TN 25 L 6059 and to handed over the property to the petitioner.

filed under Sections 397 & 401 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order in CMP No.7676 of 2009 dated 07.11.2009 of the learned Judicial Magistrate No.1, Thiruvannamalai and set aside the same and consequently to direct the first respondent to seize the vehicle namely bearing TATA 407 Reg. No.TN 25 L 9835 and to handed over the property to the petitioner.

PRAYER in CrI.R.C.No.1204 of 2009: Criminal Revision Case is filed under Sections 397 & 401 of the Code of Criminal Procedure, to call for the records pertaining to the impugned order in CMP No.7673 of 2009 dated 07.11.2009 of the learned Judicial Magistrate No.1, Thiruvannamalai and set aside the same and consequently to direct the first respondent to seize the three vehicles namely TATA 407 Local Van Bearing Reg.No.TN 25 K 9835, TATA Ace Load Van Bearing Reg. No.TN 25 L 5923 and a Ape Load Auto Bearing Reg.No.TN 25 L 6059 till the completion of trial.

For Petitioner : No appearance
(in all CrI.R.C. Nos.)

For R1 : Mrs.M.Prabavathy
(in all CrI.R.C.Nos.) Additional Public Prosecutor

For R2 : Mr.L.Mahendran
(in CrI.R.C.Nos.927 to 929 of 2012)

For R2 : No appearance
(in CrI.R.C.No.1204 of 2009)

COMMON ORDER

The petitioner and the first respondent are common in all the Criminal Revision Cases and the second respondent in CrI.R.C.Nos.927 to 929 of 2012 is one Mr.M.Vasu, as regards in CrI.R.C.No.1204 of 2009 is one Vijayarani.

2.The petitioner is the Chair Person in Sarvodaya Mutual Benefit Trust, Sarvodaya Livelihood Mutual Benefit Trust, Thiruvannamalai District had lodged a complaint against the second respondent and others. A case came to be registered in Crime No.7 of 2009 by the first respondent for the offence under Sections 408, 418, 420, 424, 468, 471 & 477(A) of Indian Penal Code. During the investigation, on arrest and confession of the accused certain vehicles were seized.

3.The petitioner as well as the accused filed separate petitions before the Judicial Magistrate Court No.I, Thiruvannamalai seeking return of the seized vehicles. The Lower Court negatived the claim of the petitioner and dismissed the petitions. As regards, the petition of the second respondent, the same was ordered and the vehicles were

returned to the second respondent. Against which the above Criminal Revision Cases had been filed.

4.No representation for the petitioner.

5.The learned Additional Public Prosecutor submitted that the defacto complainant was not co-operating with the investigation. Despite several reminders he had neither participated in the investigation nor submitted the documents called for. Hence the case was closed as "Further Action Dropped" and RCS Notice No.2/2018 dated 05.02.2018 had been served to him and the copy of the same produced before this Court.

6.In view of the same nothing survives for adjudication in these matters. Hence, these Criminal Revision Cases stand dismissed. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
District Crime Branch,
Thiruvannamalai.

2.The Public Prosecutor,
High Court, Madras.

Copy TO

The Section Officer,
Criminal Section,
High Court, Madras.

Cr1.R.C.Nos.927 to 929
of 2012 & 1204 of 2009
and M.P.No.1 of 2009

VG I (CO)
GN(20/01/2020)