

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9640 of 2016

K.Soundararajan

... Petitioner

Vs.

1. The Superintendent of Police,
Salem District,
Salem.
2. The Deputy Superintendent of Police,
Attur, Salem District.
3. The Inspector of Police,
Veeraganur Police Station,
Salem.

... Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the 1st and 2nd respondents to take action against the 3rd respondent for fraudulently fixing the petitioner's Tractor bearing Registration No.TN-46, J-1971 as offending vehicle in the accident taken place on 09.01.2016 and consequently release the petitioner's tractor, which is under the illegal custody of the 3rd respondent and to trace out the offending vehicle by conducting fair investigation in accordance with law.

For Petitioner : Mr.M.Rajendiran

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

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O R D E R

This petition has been filed to direct the 1st and 2nd respondents to take action against the 3rd respondent for fraudulently fixing the petitioner's Tractor bearing Registration No.TN-46-J-1971 as offending vehicle in the accident taken place on 09.01.2016 and for consequential directions.

2.The learned Additional Public Prosecutor submitted that a case has been registered in Crime No.8 of 2016 for which the petitioner's tractor has been identified as offending vehicle. Hence, they have seized the vehicle and the case is still pending in the investigation stage and the vehicle is lying in the 3rd respondent police station.

3.In view of the above, the prayer sought for by the petitioner cannot be considered here now. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to approach the 3rd respondent for return of the vehicle and on such representation the 3rd respondent is directed to consider the petitioner's representation and take appropriate action to return the vehicle within a period of three months from the date of such representation.

4.With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rm/rri

To

1. The Superintendent of Police,
Salem District, Salem.
2. The Deputy Superintendent of Police,
Attur, Salem District.
3. The Inspector of Police,
Veeraganur Police Station,
Salem.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.9640 of 2016

EU(CO)
CS/24/04/2019