

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20099 of 2016

P. Thangavel

... Petitioner

Vs.

1. The Director General of Police,  
Mylapore,  
Chennai - 4.

2. The Superintendent of Police,  
Salem District,  
Nethimedu,  
Salem.

3. The Deputy Superintendent of Police,  
Mettur,  
Salem - 636 401.

4. The Inspector of Police,  
Mecheri Police Station,  
Mecheri,  
Salem District - 636 453

.... Respondents.

Prayer : Writ petition filed under Article 226 of the Constitution of India, directing the respondents herein to take appropriate action against the persons who has illegally taken the vehicle on 02.06.2016 and register a case against them based on the complaint dated 03.06.2016 and 04.06.2016 also directing the 4th respondent to handover the vehicles to the petitioner forthwith.

For Petitioner : Mr.K. Sathish Kumar

For Respondents: Mr.M.Mohamed Riyaz

Additional Public Prosecutor  
for RR1 to 3

O R D E R

This Criminal Original Petition has been filed to direct the respondents herein to take appropriate action against the persons who has illegally taken the vehicle on 02.06.2016 and register a case against them based on the complaint dated 03.06.2016 and 04.06.2016 also directing the 4th respondent to handover the vehicles to the petitioner forthwith.

2. The vehicle (TATA Tipper Lorry 909) bearing Registration No.TN-52-U-9524 which was hypothecated to Cholamandalam Finance Company was seized by the 4th respondent. The petitioner came to know that the aforesaid vehicle was seized due to non furnishing of security and hence, he prays before this Court for a direction to the 4th respondent to hand over the said vehicle.

3. The learned Additional Public Prosecutor appearing for the respondents submitted that the case was registered in Crime No.120 of 2016 for the offences under sections 341, 353, 906 of Mines and Mineral Act, 1957. Hence, the vehicle belongs to the petitioner was seized and the petitioner is responsible to face the trial.

4. Considering the submission so made by the learned Additional Public Prosecutor and facts of the case, this Court is of the view to dismiss the writ petition. Accordingly, the writ petition stands dismissed. No costs.

-s/d-  
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

vsi2/ssr

To

1. The Director General of Police,  
Mylapore,  
Chennai - 4.

2. The Superintendent of Police,  
Salem District,  
Nethimedu,  
Salem.

3. The Deputy Superintendent of Police,  
Mettur,  
Salem - 636 401.

4. The Inspector of Police,  
Mecheri Police Station,  
Mecheri,  
Salem District - 636 453

5. The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.K.Sathish Kumar, Advocate sr 16674.

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SPD(CO)  
SP(05/04/2019)



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