

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:30.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11618 of 2019

Suresh ... Petitioner

Vs.

State rep. by

1.The Superintendent of Police,
Namakkal,
Namakkal District.

2.The Inspector of Police,
Ayilpatti Police Station,
Namakkal District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent to hand over the petitioner's vehicles bearing Registration Nos.KA 01 AD 7774 & KA 21 5386.

For Petitioner : Mr.C.S.Saravanan

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

O R D E R

The Criminal Original Petition has been filed to direct the second respondent to hand over the petitioner's vehicles bearing Registration Nos.KA 01 AD 7774 & KA 21 5386.

2.Heard both sides.

3. It is seen from records the petitioner has purchased the above mentioned vehicles for sale consideration of Rs.32,00,000/- and borrowed a sum of Rs.15,00,000/- from Vinayaka Finance. The petitioner had handed over the vehicle to the local service centre for service. While so, one Subramani went to the service centre and quarrelled by stating that the said vehicles are under H.P loan which was borrowed by the previous owner namely one Palanivelu. Subsequently, Subramani preferred an oral complaint before the second respondent and accordingly, the second respondent seized the vehicles without registering any FIR.

4. Considering the facts and circumstances the petitioner is directed to produce the original

Registration Certificates of the Vehicles bearing Registration Nos.KA 01 AD 7774 & KA 21 5386 to the second respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same the second respondent is directed to conduct an enquiry after giving an opportunity to him and hand over the vehicles to the owner within a period of four weeks thereafter.

5.With the above directions, this Criminal Original petition stands disposed of.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsn/mpa
To

1.The Superintendent of Police,
Namakkal,
Namakkal District.

2.The Inspector of Police,
Ayilpatti Police Station,
Namakkal District.

3. The Public Prosecutor,
High Court, Chennai - 104.

+1cc to Mr.C.S.Saravanan , Advocate SR.No. 42279

A.SK(07/06/2019)

CrI.O.P.No.11618 of 2019

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