

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 16.09.2019

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.RC.No.625/2019

V.Kanagaraj

..

Petitioner/Petitioner

Vs

State rep. by the Sub Inspector of Police,
Prohibition of Enforcement Wing,
Hosur,
Krishnagiri District ..

Respondent/Complainant

Prayer: Petition filed under section 397 r/w 401 of Cr.P.C, praying to set aside the order passed in M.P.No.1892 of 2019 dated 03.06.2019 on the file the Judicial Magistrate Court-II, Hosur and to direct the court below to return the property in Crime No.559/2019 on the file of respondent/ police.

For Petitioner : M/S.M.P.Saravanan

For Respondent : M.Mohamed Riyaz, APP

ORDER

- 1.This criminal revision petition has been filed seeking to set aside the order made in M.P.No.1892 of 2019, dated 03.06.2019, by the Judicial Magistrate Court-II, Hosur and to direct the court below to return the property in Crime No.559/2019 on the file of respondent/ police.
- 2.This Court heard learned counsel on either side.
- 3.The learned counsel for the petitioner would submit that the petitioner's vehicle, Maruthi Suzuki alto Car, being Registration No.TN-23, BW 3138, was involved in Crime No.559/2019 under Section 4(1) (a) TNP Act (Transport) and that he is not an accused in this case. He would submit that the petitioner had filed a petition for return of property and the learned Magistrate had dismissed the said petition on the ground that confiscation proceedings has been initiated against the case property.

4. When the matter is taken up today, the learned Additional Public Prosecutor would submit that the investigation has been completed and the vehicle has been confiscated by order of the Additional Superintendent of Police, Head Quarters, Krishnagiri in C.No.49/CONF/ADSP/PEW/KGI/2019, dated 28.05.2019.

5. In view of the said submission of the learned Additional Public Prosecutor, the criminal revision petition stand dismissed. However, liberty is granted to the petitioner to seek his remedy before appropriate Forum.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

Jrs

To

1. The Judicial Magistrate No.II,
Hosur

2. The Sub Inspector of Police,
Prohibition of Enforcement Wing,
Hosur, Krishnagiri District

3. The Public Prosecutor,
High Court, Madras.

Copy To

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

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