

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.19000 of 2019

Manjula

Petitioner

vs.

State rep. by
The Inspector of Police,
Kalambur Police Station,
Arni, Tiruvannamalai District.
(Crime No.453 of 2018)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the docket order dated 11.07.2019 passed by the learned Judicial Magistrate, Arni, in C.M.P. SR. No.1404 of 2019 filed by the petitioner for return of her tractor bearing registration number TN25 BY 2981, Chassis No.T053294791ME, Engine No.E3328733 and direct the learned Judicial Magistrate, Arni to return the said vehicle, which was seized by the respondent police in Crime No.453 of 2018 and was deposited in the Court of learned Judicial Magistrate, Arni in CB No.205 of 2018, to the petitioner.

For Petitioner : Mr.A.Balamurugan

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed against the order of return made by the Court below, returning the petition filed by the petitioner seeking for returning of vehicle which has been seized by the respondent police.

2. The vehicle belonging to the petitioner was seized by the respondent police in the course of investigation in Crime No.453 of 2018. The petitioner claiming to be the owner of the vehicle, filed the petition before the Judicial Magistrate, Arani seeking for returning of the vehicle. The said petition was returned by the Court below on the ground that the petition should be filed only before the Special Court.

3. The learned Additional Public Prosecutor on instructions submitted that pursuant to the G.O. passed by the Government, the Principal District Court in every District has now been designated as the Special Court to deal with all the cases of sand theft. In the present case, the Principal District Court, Tiruvannamalai has been designated as the Special Court.

4. Heard, the learned counsel for the petitioner and the learned Additional Public Prosecutor on behalf of the respondent police.

5. This Criminal Original Petition is disposed of by giving liberty to the petitioner to file an appropriate petition seeking for returning of vehicle before the Principal District Court, Tiruvannamalai. The Principal District Judge, Tiruvannamalai is directed to dispose of the petition filed by the petitioner within a period of three weeks from the date of filing of the petition.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

ssr
To

Sub Assistant Registrar

1. The Principal District Court,
Tiruvannamalai.
2. The Judicial Magistrate, Arni
3. - do - through The Chief Judicial Magistrate,
Tiruvannamalai.
4. The Inspector of Police,
Kalambur Police Station,
Arni, Tiruvannamalai District.
5. The Public Prosecutor,
High Court of Madras, Madras.

copy to: The Section Officer,
Criminal Section, High Court, Madras.
(To return the Original Petition)

+1 cc to Mr.P.Satheesh Kumar, Advocate, S.R.No.61134

CrI.OP No.19000 of 2019

NR(CO)
SSM(19/07/2019)