

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2019

CORAM:

THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.No.23138 of 2019

P.Murali Krishnan

...Petitioner

Vs.

The State, represented by
The Inspector of Police,
Minjur Police Station,
Ponneri Taluk,
Tiruvallur District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 483 of Cr.P.C., to direct the respondent to handover the petitioner's tanker lorry (Tata Multi axle goods vehicle No.TN03157483, Chassis No.MAT4664003D2A00494 and Engine No.B591803231A63308485) filled with JET A-1 (ATF) within a stipulated period.

For Petitioner : Mr.A.Swaminathan

For Respondent : Mr.C.Iyyapparaj,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the respondent to handover the petitioner's tanker lorry (Tata Multi axle goods vehicle

No.TN03157483, Chassis No.MAT4664003D2A00494 and Engine No.B591803231A63308485) filled with JET A-1 (ATF) within a stipulated period.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the Lorry in question and that it has been seized by the respondent Police in Crime No.457 of 2019 and since it is loaded with highly inflammable material he has approached this Court, seeking for a direction to the respondent to handover the petitioner's tanker Lorry to him.

3.The learned Additional Public Prosecutor would submit that the concerned vehicle is seized in Crime No.457 of 2019 registered by respondent police for the offences under Sections 379, 285 r/w 120(b) of IPC and that it is pending on the file of the learned Judicial Magistrate, Ponneri. He would further submit that the petitioner without approaching the concerned Court has directly approached this Court under Section 482 of Cr.P.C.

4.At this juncture, the learned counsel for the petitioner would submit that the vehicle in question is loaded with highly inflammable material and that is the reasons for the petitioner to approach this Court. However, he would seek for a direction to the concerned Magistrate to entertain and dispose of the petition, seeking for return of the property as expeditiously as possible.

5.In view of the above, the petitioner is directed to approach the concerned Court namely the learned Judicial Magistrate, Ponneri seeking for return of vehicle in question by filing proper application and on such petition being filed the learned Judicial Magistrate, Ponneri is directed to consider and pass orders, in accordance with law and on merits, as expeditiously as possible. This Criminal Original Petition is disposed of with the above observations.

04.09.2019

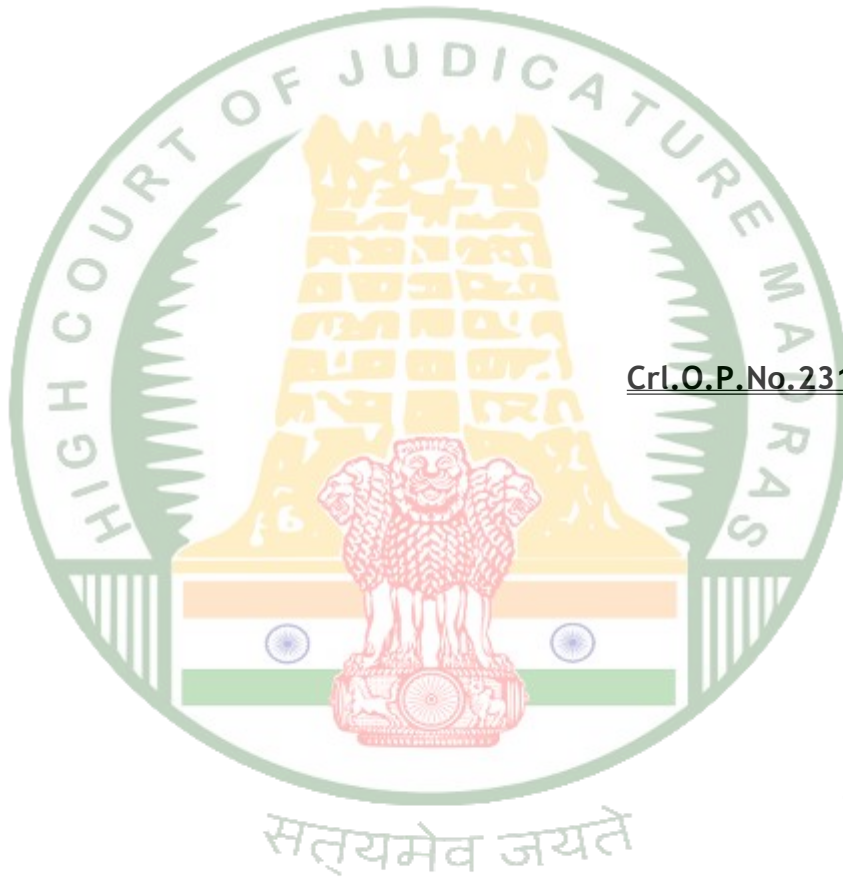
Internet : Yes / No
rna/jrs

To

- 1.The Inspector of Police,
Minjur Police Station,
Ponneri Taluk,
Tiruvallur District.
- 2.The Additional Public Prosecutor,
Madras High Court.

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A.D.JAGADISH CHANDRA.,J
rna



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