



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2019

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Crl.O.P.No.32983 of 2019

S.Raja

...Petitioner

-Vs-

The State Represented by its
Inspector of Police
Civil Supplies CID, Salem,
Chennai Division.

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the respondent police not to demand surrender of vehicle bearing registration No.TN-41-AM-8030 registered in the petitioner's name.

For Petitioner : Mr.R.Kumaravel

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

ORDER

This Criminal Original Petition has been filed to direct the respondent police not to demand surrender of vehicle bearing registration No.TN-41-AM-8030 registered in the petitioner's name.

2. The learned counsel for the petitioner has submitted that the petitioner has purchased the Lorry bearing Registration No. TN-41-AM-8030 on 11.01.2019 from one B.Kavitha. He further submitted that after purchasing the said vehicle, he had hypo-the- cated the said vehicle with finance company and received some amount also. He further submitted that the respondent police had registered a case on 02.12.2017 stating that some other lorry is involved in the said occurrence, but now the respondent police is insisting the petitioner to produce his lorry. He further submitted that the petitioner's lorry is not involved any offence and therefore, he prayed to direct the respondent not to insist the petitioner to produce the vehicle.



3. Per contra, the learned Additional Public Prosecutor has submitted that the investigation reveals that the petitioner's lorry is involved in the crime of smuggling ration rice and hence, the respondent has directed the petitioner to produce the vehicle for investigation purpose.

4. Considering the submissions made by the learned Additional Public Prosecutor and that the petitioner's vehicle is required for investigation purpose, this Court is of the view that this petition is not maintainable.

5. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna

To

1.The Inspector of Police
Civil Supplies CID, Salem,
Chennai Division.

2.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Kumaravel, Advocate SR.101901

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GJ(CO)
CB(06/01/2020)