

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.12.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.R.C.No.1353 of 2019

M/s.Reliance Corporate IT Part Limited
having its registered Office at D.No.101,
Saffron, Near Central Point, Panchwati 5 Rasta,
Ambawadi, Ahmedabad-380 006
rep. by its Authorised Person
Mr.Mool Singh Rathore,
S/o.Amar Singh Rathore,
D.No.138, Sankagiri Main Road,
Nethimedu, Salem-636 002. Petitioner

Vs

State rep by
The Inspector of Police,
NIB-CID Police, Vellore.
(Cr.No.94/2019) Respondent

Prayer:- This Petition is filed under section 397 read with 401 of Cr.P.C., to set aside the order passed by the learned Special Judge for EC Acts Cases, Salem in Crl.M.P.No.625 of 2019 in Crime No.94 of 2019 dated 21.11.2019.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.K.Prabakar, APP

ORDER

This Criminal Revision Petition has been filed, seeking to set aside the Order passed by the learned Special Judge for EC Acts Cases, Salem in Crl.M.P.No.625 of 2019 in Crime No.94 of 2019 dated 21.11.2019.

2 The case of the prosecution in brief is that the properties, namely, DUCTS and OFC 9 Pipe Rolls belonging to the petitioner company were transported from Andhra Pradesh to Karnataka in a Parcel Service, namely, Inland World Logistics Private Limited through its Eicher Lorry bearing Registration No.TN 83 S 1875. While so, on 19.10.2019, when the lorry was

moving from Vellore to Ambur around 3.00 p.m. on information from reliable sources, the respondent police intercepted the said vehicle-in-question and during inspection, the respondent police seized Ganja weighing 32 Kgs from the said vehicle. Thereafter, the respondent police has arrested the accused persons.

3 The learned counsel for the petitioner would submit that though the present Criminal Revision is filed for return of the properties, the petitioner is restricting their prayer only for release of OFC 9 Pipe Rolls belonging to them which were intended to be transported from Vishakapatnam to Bangalore. The learned Counsel would further submit that the petitioner has only entrusted their properties to the Inland World Logistics Private Limited Parcel Service for transporting the same from Andhra Pradesh to Bangalore and they have nothing to do with the alleged offence.

4. On notice, the learned Additional Public Prosecutor for the respondent fairly submitted that the petitioner company is in no way connected with the offence alleged in Crime No.94 of 2019 on the file of the respondent police and they have only transported their goods in the vehicle-in-question.

5. Considering the facts and circumstances of the case and also having regard to the fact that the petitioner is in no way connected with the Vehicle-in-question, which is alleged to have been used for illegally transporting the Ganja and they have not been arrayed as an accused in this case, this Court is of the opinion that there is no purpose in keeping the OFC 9 Pipe Rolls belonging to the petitioner in the police station, which cannot be used in future.

6. Accordingly, this Criminal Revision Case is allowed and the impugned order passed by the learned Special Judge for EC Acts Cases, Salem in CrI.M.P.No.625 of 2019 in Crime No.94 of 2019 dated 21.11.2019, is hereby set aside and that the OFC 9 Pipe Rolls alone are ordered to be released to the petitioner, within a period of one week from the date of receipt of a copy of this Order subject to the following conditions:

- a. The petitioner shall produce necessary documents before the respondent to establish the ownership of the pipes-in-question;
- b. On producing necessary documents, the respondent shall release the pipe lines after taking necessary photographs of the same and after getting necessary undertaking from the petitioner; and

c. It is made clear that this order is passed only for the release of 9 pipe lines to the petitioner and not for return of the Lorry-in-question.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To:

1. The Special Judge for EC Acts Cases,
Salem.
2. The Inspector of Police,
NIB-CID Police, Vellore.
3. The Public Prosecutor,
High Court, Madras.

+2cc to Mr.E.C.Ramesh, Advocate Sr.103897

Crl.R.C.No.1353 of 2019

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