

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.OP.Nos.33789 and 33791 of 2019

Arul Kumar

... Petitioner
(in both Crl.OPs)

Vs.

The State rep.by
The Inspector of Police,
Avinashi Police Station,
Tiruppur District (Cr.No.543 of 2019)

... Respondent
(in both Crl.OPs)

PRAYER in Crl.OP.No.33789 of 2019: Criminal Original Petition filed under Section 482 Cr.P.C, to direct the learned Judicial Magistrate, Avinashi to entertain the petitioner's petition in Crl.MP.(SR).No.11658 of 2019 in Crime No.543 of 2019 filed under Section 451 of Cr.P.C to return the vehicle bearing Registration No.TN-37-BZ-1512 (Engine No.H00034444, Chasis No.1833132H2012) JCB EXCAVATOR 76 HP Value Rs.9,00,000/- which was seized by the Tahsildar, Avinashi and the same was handed over to the respondent.

PRAYER in Crl.OP.No.33791 of 2019: Criminal Original Petition filed under Section 482 Cr.P.C, to direct the learned Judicial Magistrate, Avinashi to entertain the petitioner's petition in Crl.MP.(SR).No.11654 of 2019 in Crime No.543 of 2019 filed under Section 451 of Cr.P.C to return the vehicle bearing Registration No.TN-33-AT-7744 (Engine No.XBH682179, Chasis No.MB1G3DYC5BHC1841) Ashok Leyland Tipper Lorry Value Rs.10,00,000/- which was seized by the Tahsildar, Avinashi and the same was handed over to the respondent.

For Petitioner : Mr.S.Vinoth Kumar
(in both Crl.OPs)

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor
(in both Crl.OPs)

COMMON ORDER

Crl.OP.No.33789 of 2019 has been filed to direct the learned Judicial Magistrate, Avinashi to entertain the petitioner's petition in Crl.MP.(SR).No.11658 of 2019 in Crime No.543 of 2019 filed under Section 451 of Cr.P.C to return the vehicle bearing Registration No.TN-37-BZ-1512 (Engine

No.H00034444, Chasis No.1833132H2012) JCB EXCAVALATOR 76 HP Value Rs.9,00,000/- which was seized by the Tahsildar, Avinashi and the same was handed over to the respondent.

Cr1.OP.No.33791 of 2019 has been filed to direct the learned Judicial Magistrate, Avinashi to entertain the petitioner's petition in Cr1.MP.(SR).No.11654 of 2019 in Crime No.543 of 2019 filed under Section 451 of Cr.P.C to return the vehicle bearing Registration No.TN-33-AT-7744 (Engine No.XBH682179, Chasis No.MB1G3DYC5BHC1841) Ashok Leyland Tipper Lorry Value Rs.10,00,000/- which was seized by the Tahsildar, Avinashi and the same was handed over to the respondent.

2. The petitioner is directed to re-present the petition before the concerned Magistrate, on such re-representation of the said petition, the concerned Magistrate is directed to follow the directions issued by the Division Bench of this Court in W.P.(MD) Nos.19936 of 2017 etc dated 29.10.2018 followed by the subsequent order dated 09.09.2019 passed in Review Applications Writ (MD) Nos.80 to 82 of 2019 and another order passed by the Division Bench of this Court in W.P.No.29154 of 2019 dated 04.10.2019.

3. With the aforesaid directions, this petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Vv

To

1.The Judicial Magistrate, Avinashi.

2.The Inspector of Police,
Avinashi Police Station,
Tiruppur District

3. The Public Prosecutor,
High Court, Chennai.

+2cc to Mr.S.Vinoth Kumar, Advocate, S.R.No. 104330 & 104331

Cr1.O.P.Nos.33789

and

33791 of 2019

CP (CO)

GN (29/01/2020)