

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 09.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

Crl.R.C.No.1425 of 2018

Munusamy.M

... Petitioner

-Vs-

The State represented by
The Sub Inspector of Police,
Mathur Police Station,
Krishnagiri District.

... Respondent

This Criminal Revision Petition is filed under Sections 397 read with Section 401 of Cr.P.C. praying to call for the records on the file of the Learned District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District in Crl.M.P.No.4408 of 2018 dated 12.11.2018 and set aside the order.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mr.G.Harihara Arun Somasankar,
Government Advocate (Crl.Side)

O R D E R

The present Criminal Revision has been filed against the order passed in Crl.M.P.No.4408 of 2018 in Crime No.103 of 2018 dated 12.11.2018 by the learned District Munsif cum Judicial Magistrate, Pochampalli, Krishnagiri District, rejecting the petition filed under Section 451 of Cr.P.C for return of the seized vehicle.

2.The learned Judicial Magistrate dismissed the petition filed by the petitioner herein on the ground that there was no material produced before the Magistrate in order to establish the factum of ownership of the vehicle, except stating that the vehicle was purchased by the petitioner, a few months before and there was no transfer of ownership effected and no material has been produced for return of the vehicle on the basis of ownership of the vehicle.

3.Admittedly, from the statement of the petitioner himself it is established that the transfer of ownership has not been effected and therefore, the petitioner herein has no locus-

standi to file a petition under Section 451 of Cr.P.C.

4.In the above circumstances, the learned Magistrate has rightly rejected the petition and this Court does not find infirmity. Hence, the present Criminal Revision is dismissed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rna/cgi

To

- 1.The District Munsif cum Judicial Magistrate,
Pochampalli, Krishnagiri District.
- 2.The Sub Inspector of Police,
Mathur Police Station,
Krishnagiri District.
- 3.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.E.Kannadasan, Advocate Sr.No.2504

GJII(CO)
CSL/08.02.2019

Cr1.R.C.No.1425 of 2018

सत्यमेव जयते

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