



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Original Jurisdiction)

Friday, the Eighth day of November Two Thousand and Nineteen

WEB COPY

PRESENT

The Hon'ble Mr.Justice V.PARTHIBAN

CRL MP (MD) . No.8299 of 2019

in

CRL RC (MD) .No.101 of 2019

Manickam

...Petitioner/Petitioner

Vs

State rep.by The Inspector of Police,
Ariyamangalam Police Station, Trichy District

...Respondent/Respondent

Prayer in CRL MP (MD) . No.8299 of 2019:

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to Modify the condition in order passed by this Honourable Court in Crl. R.C (MD) No. 101/2019 dated 18.03.2019 as far as the 5th Para (a) Condition The Petitioner shall Deposit the original Registration Certificate of the vehicle and consequently direct the Judicial Magistrate, No.IV, Trichy to given the original Registration Certificate of petitioner's vehicle bearing in registration No.TN 55 E4721 to the petitioner in connection with crime No.514 of 2018 on the file of the respondent police.

Prayer in CRL RC (MD) .No.101 of 2019 :

Criminal Revision case is filed under section 397 read with 401 Criminal Procedure Code, to set aside the order dated 21.02.2019 made in Cr.M.P.No.2048 of 2019 on the file of the learned Judicial Magistrate, No.VI, Trichy.

ORDER:-

Criminal Miscellaneous Petition is coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. S.Sathyachidambaram, Advocate for the Petitioner and of Mr. M.Anantha Devi, Government Advocate (Criminal Side), on behalf of the respondent, this Court made the following order:

The present miscellaneous petition is filed by the petitioner seeking modification of condition (a) in passed by this Court in the order dated 18.03.2019.



2. It is submitted by the learned counsel for the petitioner that in para-5 (a) of the order dated 18.03.19, direction has been given to deposit the RC Book of the vehicle with the Judicial Magistrate No.VI, Trichy, which has been duly complied with. However, since the national permit of the vehicle has expired on 22.7.2019, for the purpose of extending the national permit, the RC book is required. Therefore, petition was filed before the concerned Magistrate for the purpose of interim custody of the RC book for the purpose of extending the national permit, which was dismissed and, therefore, the present modification petition is filed to enable the petitioner to have the RC book for a period of 15 days so as to enable him to get the national permit extended.

3. This Court heard the learned Addl. Public Prosecutor on the above contentions and perused the counter affidavit filed by the respondents.

5. Insofar as modification of condition No.(a) in para 5 of the order dated 18.03.2019 is concerned, this Court, taking into consideration the submissions advanced on the side of the petitioner that the RC book is required for the purpose of getting extension of the national permit and also the stand of the respondents that interim custody of the RC book may be given subject to the condition that the petitioner fulfills the other conditions imposed, is inclined to grant the relief as prayed for.

6. Accordingly, taking into consideration the undertaking given by the petitioner in the affidavit filed in support of the petition, the trial court is directed to hand over interim custody of the RC Book pertaining to the vehicle bearing Regn. No.TN-55-E-4721 to the petitioner and the petitioner is directed to obtain the necessary national permit, for which he has sought interim release of the RC Book, and, thereafter, deposit the RC Book back to the custody of the trial court along with a copy of the newly obtained national permit, within fifteen days from the date of release of the RC Book to the petitioner by the trial court. Further, it is made clear that in case of non-compliance of the above direction, the learned trial court is at liberty to pass any further orders as it deems fit.

7. This miscellaneous petition is ordered in the above terms.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar(CS)



TO

- 1 The Judicial Magistrate, No.VI, Trichy
 - 2 The Chief Judicial Magistrate, Trichy
 - 3 The Inspector of Police, Ariyamangalam Police Station,
Trichy District
 - 4 The Additional Public Prosecutor, Madurai Bench of
Madras High Court, Madurai.
- +1cc to Mr.S.Sathya Chidambaram, Advocate, SR No.19311

CRL MP (MD) . No.8299 of 2019
in
CRL RC (MD) .No.101 of 2019

NS (CO)

TR(14.11.2019) 3P 6C