



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Original Jurisdiction

Thursday, the Seventh day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL.M.P. (MD) .No.8117 OF 2021

in

CRL RC (MD) . No.730 of 2019

Malathy

... Petitioner/Petitioner/Petitioner

Vs

The Sub Inspector of Police  
Peraiyur Police Station , Madurai  
Cr No. 158/2019.

... Respondent/Respondent/Respondent

Prayer in Crl.M.P. (MD) .No.8117 OF 2021:-

Petition filed under Section 482 of Criminal Procedure Code, to modify the order in Crl.M.P. (MD) .No.4198 of 2020 in Crl.R.C (MD) . No.730 of 2019. Dt.01.09.2020. and direct to return the R.C.Book deposited before the Principal District and Sessions Judge, Madurai.

Prayer in Crl.M.P. (MD) .No.4198 of 2020:-

Petition filed under Section 482 of Criminal Procedure Code, to modify the order in CRL RC (MD) . No.730 of 2019 dt.19.12.2019 and direct to refund the amount of Rs.1 Lakh deposited vide Receipt no.380604 dt 2.1.2020 and also to return the R.C.Book deposited before the Principal District sessions Judge Madurai

Prayer in CRL RC (MD) . No.730 of 2019:-

This Criminal Revision has been filed under Section 397r/w 401 of the Criminal Procedure Code, to call for the records pertaining to the order passed in Cr. M. P No. 3810/2019 dated 06.09.2019 on the file of the Learned Principal sessions Judge Madurai and set aside it and consequently pass order returning the JCB vehicle Registration No.TN.58 AU 4665.

ORDER:- This Petition coming on for orders on this day and upon  
<https://hcservices.ecourts.gov.in/hcservices/>



perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.Manikandan.A., Advocate for the Petitioner and of Thiru. M.Muthumanikkam, Government Advocate for the respondent, this Court made the following order:

This petition has been filed to modify the order dated 01.09.2020 made in Crl.M.P(MD)No.4198 of 2020 in Crl.R.C.(MD)No.730 of 2019, on the file of the learned Principal Sessions Judge, Madurai and direct to return the R.C.Book which deposited earlier in the above referred case.

2. Previously, this Court, while at the time of disposing the Crl.R.C(MD)No.730 of 2019, dated 19.12.2019, directed the learned Principal Sessions Judge, Madurai to return the JCB vehicle bearing Registration No.TN-58-AU-4665 to the petitioner for interim custody and further directed the petitioner to deposit the original Registration Certificate of the vehicle. Complying the said condition, the petitioner herein deposited the said original Registration Certificate before the Principal Sessions Judge, Madurai.

3. Now, due to the reason that the owner of the vehicle, who was the husband of the petitioner, is no more and hence, the petitioner has filed this application praying to return the original RC book for renewing the fitness certificate. It is apparent that without seeing the original RC book, the transport authorities cannot extend the fitness certificate and therefore, the reasons stated by the petitioner is genuine and acceptable one.

4. Accordingly, this petition is ordered. The learned Principal Sessions Judge, Madurai is directed to return the original RC book to the petitioner for a period of 30 days alone, so as to enable the petitioner to renew the fitness certificate.

Sd/-

Assistant Registrar (CS-I)

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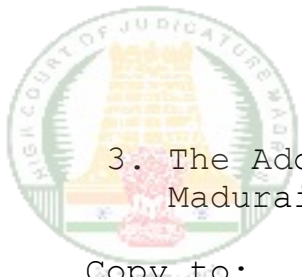
/ /2021

Sub Assistant Registrar(CS)

TO

1 .Principal District and Sessions Judge, Madurai.

2. The Sub Inspector of Police  
Peraiyur Police Station , Madurai .



3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai

Copy to:

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The Section Officer,  
Criminal Section,  
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 07/10/2021

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ORDER

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CRL.M.P. (MD) .No.8117 OF 2021  
in  
CRL. R.C (MD) .No.730 of 2019

Giving direction and etc.  
as stated within.

RD(27.10.2021) 3P 5C