

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2020

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

Cr1.O.P.No.1573 of 2020

Sugnathi

...Petitioner

-Vs-

The Sub Inspector,
Vaanapuram Police Station,
Tiruvanamalai.

... Respondent

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the Principal District and Sessions Court, Tiruvanamalai to dispose of the C.M.P.No.4851 of 2019 within a time frame.

For Petitioner : M/s.R.Poornima

For respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the Principal District and Sessions Court, Tiruvanamalai to dispose of the C.M.P.No.4851 of 2019 at early.

2. The learned counsel for the petitioner has submitted that the petitioner is the owner of the Tarass Lorry bearing Registration number T.N-21-AX-0535. He further submitted that on 25.07.2019, the respondent has stopped the petitioner's lorry and seized the same, despite the fact that the petitioner had proper papers and transit papers. He further submitted that the respondent, after seizing the petitioner's lorry, has registered a case in Crime No.212 of 2019 under Sections 379 and 430 of I.P.C r/w Section 21(1) M& M(D&R) Act Section 3(2) TNPPDL Act. He further submitted that the respondent, after seizing the said lorry, has produced the same before the Principal District and Sessions Court, Thiruvannamalai and remanded the same in C.P.No.36 of 2019. He further submitted that the petitioner has filed a petition under Section 451 Crpc seeking interim custody in C.M.P.No.4851 of 2019 on the file of the Principal District and Sessions Judge, Thiruvannamalai. He further submitted that the learned Principal District and Sessions Judge has routinely

adjourned the said petition by stating that the "reply is awaited" and hence, he requests to direct the learned Principal District and Sessions Judge, Thiruvannamalai to dispose of the C.M.P.No.4851 of 2019 at early.

3. The learned Additional Public Prosecutor has submitted that suitable directions may be issued to the concerned Court.

4. A perusal of the xerox copy of the petition filed in C.M.P.No.4851 of 2019 before the Principal District and Sessions Court, Thiruvannamalai shows that the said petition was filed on 12.11.2019 and on that date, notice to Public Prosecutor and Police was ordered and thereafter the said petition has been adjourned by stating "Await reply". Hence the respondent is directed to file reply immediately without seeking any further adjournments.

5. The learned Principal District and Sessions Judge, Thiruvannamalai is also directed to dispose of the said petition within two weeks from the date of receipt of copy of this order.

6. With the aforesaid directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(C.S.II)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Tiruvannamalai.

2. The Sub Inspector,
Vaananapuram Police Station,
Tiruvannamalai.

3. The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.R.Poornima, Advocate Sr.No. 6300

AKM/13.02.2020/2P- 5C /

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