

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.01.2020

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.1385 of 2020

B.Hariprasad

.. Petitioner

..Vs..

1. The Inspector of Police,
Singanallur Police Station,
Coimbatore.

2. The Inspector of Police,
Civil Supplies CID,
Krishnagiri.

2. The District Revenue Officer,
Krishnagiri District.

..Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent herein to produce the custody of the lorry bearing Registration No.TN39 AJ 4519, Engine No.XFH 390928, Chasis NO.XFR232925 subject matter of FIR in Crime No.894 of 2019 dated 17.06.2019 on the file of the 1st respondent herein, used with fake Registration No.TN 23 P 9699 in the subject matter of investigation under FIR No.124 of 2019 dated 22.11.2019 on the file of the 2nd respondent herein, to the 1st respondent within a time frame as may be stipulated by this Court.

For Petitioner : Mr.M.Santhanaraman

For Respondents : Mr.G.Rajesh

ORDER

The writ petition has been filed in the nature of mandamus, seeking direction to the 3rd respondent namely the District Revenue Officer, Krishnagiri District to produce the custody of the lorry bearing Registration No.TN39 AJ 4519, Engine No.XFH 390928, Chasis NO.XFR232925 which is the subject matter of FIR in Crime No.894 of 2019 dated 17.06.2019, registered by the 1st respondent namely the Inspector of Police, Singanallur Police Station, Coimbatore under Section 379 of I.P.C.

2. The grievance of the petitioner is that a lorry bearing registration No.TN39 AJ 4519 had been stolen and in this connection he had lodged a complaint before the 1st respondent namely the Inspector of Police, Singanallur Police Station, Coimbatore wherein an FIR in Crime No.894 of 2019 had been registered under Section 379 of I.P.C..

3. In the meanwhile, the said lorry appears to have been seized by the 3rd respondent, in view of the fact that it had been used for smuggling of PDS rice but with registration No.TN23 P 9699 and in this connection, FIR in crime No.124 of 2019 had been registered under Section 7 (1)(a)(ii) of the Essential Commodities Act, 1955 r/w. Rule 6 (4) of Tamil Nadu Schedule Commodities (RDCS) Order 1982 by the 2nd respondent namely the Inspector of Police, Civil Supplies CID, Krishnagiri .

4. The learned counsel for the petitioner states that the registration number had been changed without the knowledge of the petitioner and the lorry was used for smuggling of Rice. The writ petitioner had therefore filed the present writ petition.

5. The learned counsel appearing for the respondents produced a letter of the 3rd respondent dated 08.01.2020 in Na.Ka.No.29749/2019/F6 whereby it had been stated that the lorry had been handed over and is in the custody of the Judicial Magistrate No III, Coimbatore wherein the FIR No.894 of 2019 is pending.

6. The petitioner will necessarily has to workout his remedy for return of the seized vehicle before the said Court in the manner known to law.

7. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS)

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Sub Assistant Registrar

vum

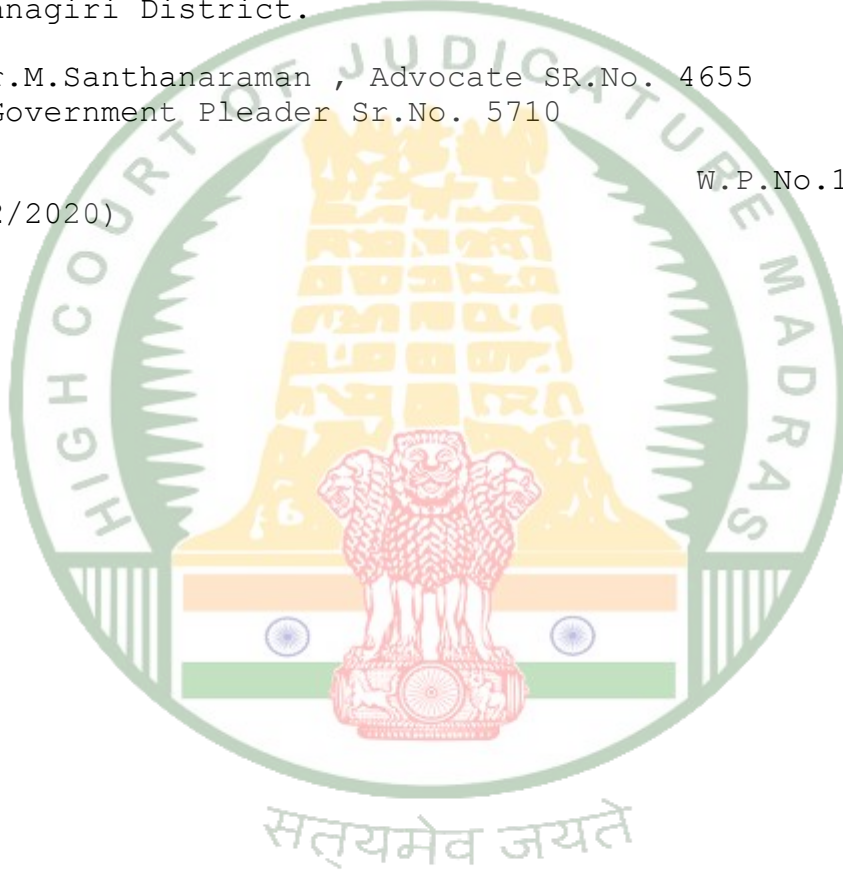
To

1. The Inspector of Police,
Singanallur Police Station,
Coimbatore.
2. The Inspector of Police,
Civil Supplies CID,
Krishnagiri.
3. The District Revenue Officer,
Krishnagiri District.

+1cc to Mr.M.Santhanaraman , Advocate SR.No. 4655
+1 cc to Government Pleader Sr.No. 5710

W.P.No.1385 of 2020

A.SK(24/02/2020)



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