

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 2385 of 2020

Murali

... Petitioner

Vs.

1.The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.

2.The Assistant Director,
Mines and Mineral Department,
Krishnagiri.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Principal District Court, Krishnagiri to entertain the petition filed by the petitioner under Sections 451 and 457 of Cr.P.C and pass appropriate orders in accordance with law.

For Petitioner : Mr.M.R.Senthilkumar

For Respondents : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for a direction to direct the learned Principal District Judge, Krishnagiri to entertain the petition filed by the petitioner under Section 451 and 457 of Cr.P.C and pass appropriate orders in accordance with law.

2. On a perusal of records dated 26.09.2019, it reveals that the Tipper lorry bearing Registration No.KA-51-AB-2333 was carrying the load of blue metals and the same was seized by the second respondent and produced before the Special Court. Therefore, the petitioner filed a petition to return of vehicle under Sections 451 and 457 of Cr.P.C and the same was returned for the reason that no FIR has been registered as against the petitioner.

3. Considering the said submission, the Special Court under the Mines and Minerals Act viz., the Principal District and Sessions Court, Krishnagiri is directed to entertain the petition filed by the petitioner and considered the same and pass reasoned orders on merits in accordance with law. However, the petitioner is directed to re-present the application for return of vehicle within a period of two weeks from the date of receipt of a copy of this order.

4. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
Bagalur Police Station,
Krishnagiri District.
- 2.The Assistant Director,
Mines and Mineral Department,
Krishnagiri.
- 3.The Principal District and Sessions Court, Krishnagiri.
- 4.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.R.Senthilkumar, Advocate, sr 19213

CRL.O.P.No. 2385 of 2020

TM (CO)
AT (22/05/2020)