

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2020

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. No. 3318 of 2020

T.Kumar

... Petitioner

Vs

State rep by
The Inspector of Police,
Kurubarapalli Police Station,
Krishnagiri District.

... Respondent

PRAYER: Criminal Original Petitions filed under Section 482 of Cr.P.C, praying to set aside the docket order in Crl.M.P. Sr. 2665/2019 dated 13.12.2019 passed by the learned Judicial Magistrate No.II, Krishnagiri consequent to release the petitioner's vehicle bearing Regn.No. TN 24 H 8934 in accordance with law.

For Petitioner : Mr.C.Samivel

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed for a direction, to direct the learned Judicial Magistrate No.II, Krishnagiri to to set aside the docket order in Crl.M.P. SR. No. 2665/2019 and consequent to release the petitioner's vehicle bearing Registration No. TN 24 H 8934 in accordance with law.

2. The learned counsel for the petitioner submitted that the stay petition was returned for the reason that the respondent police did not file any seizure mahazar in respect of the vehicle seized from the petitioner.

3. Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor submitted that the seizure mahazar has been submitted before the learned Judicial Magistrate No.I, Krishnagiri in C.P. No. 3318 of 2019.

4. Considering the above facts and circumstances, the

docket order passed by the learned Judicial Magistrate No.II, Krishnagiri in CrI.M.P. SR. No. 2665 of 2019 is set aside and the petitioner is directed to represent the application to return of the property.

5. On receipt of the same, the learned Judicial Magistrate No.II, Krishnagiri is directed to consider the same and pass orders on merits in accordance with law.

6. With the above direction, this criminal original petition is allowed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

arb

To

- 1.The Judicial Magistrate No.II,
Krishnagiri.
2. do Thro The Chief Judicial Magistrate,
Krishnagiri.
3. The Inspector of Police,
Kurubarapalli Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Samivel, Advocate, S.R.No. 23261

RK(CO)
GN(06/08/2020)

CrI.O.P. No. 3318 of 2020

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