

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.03.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P. No. 3203 of 2020

D.Selvam

.. Petitioner

Vs

1. State By,
The Inspector of Police,
Sipcot Police Station,
Gummudipoondi,
Thiruvallur District.

2. The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.
(R2 is impleaded as per order in
Crl.M.P. No. 2850 of 2020 in
Crl.O.P. No. 3203 of 2020
dated 03.03.2020)

.. Respondents

Prayer :- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Respondent Police to return back the petitioner's Tractor with Trailer bearing registration number TN-18-L-7095 (Chassis and Engine No.NLTL0743) which was seized by them on 22.08.2019 and kept in their custody.

For Petitioner : Mr.R.Dinesh Kumar
For Respondents: Mr.M.Mohamed Riyaz
Addl. Public Prosecutor

ORDER

This petition has been filed by the petitioner seeking to direct the Respondent Police to return back the petitioner's Tractor with Trailer bearing registration number TN-18-L-7095 (Chassis and Engine No.NLTL0743) which was seized by them on 22.08.2019 and kept in their custody.

2. Heard Mr.R.Dinesh Kumar, learned Counsel for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor for the respondents.

3. The learned Additional Public Prosecutor appearing for the Respondents submitted that under the Mines and Minerals (Development and Regulation) Act, 1957 the vehicle of the

Petitioner involved and as such, it is seized by the second respondent. Thereafter, the vehicle was taken into the custody of the first respondent and till now, the second respondent did not take any steps to produce the vehicle before the concerned Court. In pursuant to the crime registered by the first respondent as against the petitioner under the Mines and Minerals (Development and Regulation) Act, 1957.

4. Considering the above facts and circumstances, the prayer sought for in this petition cannot be considered by this Court. Therefore, the second respondent is hereby directed to take steps to file a complaint and produce the vehicle (Tractor with Trailer) bearing Registration No. TN-18-L-7095, before the concerned Special Court within a period of two weeks from the date of receipt of a copy of this order. Thereafter, the petitioner is at liberty to approach the concerned Court for return of the vehicle.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

arb

To

1. The Inspector of Police,
Sipcot Police Station,
Gummudipoondi,
Thiruvallur District.
2. The Revenue Divisional Officer,
Ponneri Taluk,
Thiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.R.Dineshkumar Advocate sr21401

CrI.O.P. No. 3203 of 2020

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