

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10871 of 2020

Gopinath, S/o.Padmarajan
No.44, Meenatchi 2nd Street
GSK Nagar, Saravanampatti
Coimbatore District.

... Petitioner

Vs

1. The Superintendent of Police
Erode District.
2. The Inspector of Police
Karungalpalayam Police Station
Erode District.
(CSR No.299 of 2019)

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. Praying to direct the 2nd respondent for production of seized Innova Car bearing Registration No.TN 33 AJ 2297 before the trial Court within stipulated time on the file of the the Inspector of Police, Karungalpalayam Police Station, Erode District.

For Petitioner : Mr.L.Govindaraj

For Respondents: Mr.S.Karthikeyan,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent for production of seized Innova Car bearing Registration No.TN 33 AJ 2297 before the trial Court within stipulated time on the file of the The Inspector of Police, Karungalpalayam Police Station, Erode District.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner has purchased a car from one Vadivel for a valuable consideration and R.C book was also transferred in his name by endorsement dated 3.11.2017 by R.C No.381/B2/2017. While being so, the 2nd respondent had taken the vehicle from the custody of the petitioner and kept the vehicle in the police station. Therefore, he made a complaint on 25.01.2020 alleging that he lost his registration certificate and thereafter, it was manipulated by other person by name Balasubramaniam and it seems that the R.C book has been manipulated in their name. Therefore, he sought for direction, directing the 2nd respondent to produce the vehicle before the concerned Court so that he can file a petition for return of vehicle.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that on the complaint lodged by the petitioner in C.S.R No.299 of 2019 enquiry was conducted. Thereafter, during the enquiry, it reveals that the petitioner is not the owner of the vehicle and the endorsement in the registration certificate is found to be a fake one. Originally, the vehicle was owned by one Balasubramaniam and after enquiry, the vehicle was handed over to the said Balasubramaniam. Now, the complaint lodged by the petitioner was closed on 20.01.2020.

5. Considering the above submission made by the petitioner as well as the learned Additional Public Prosecutor, the complaint lodged by the petitioner was closed in C.S R No. 299 of 2019 on 20.01.2020. That apart, the registration certificate used by the petitioner is found by the police as fake one and as such, the prayer sought for in the petition cannot be granted.

6. Accordingly, this Criminal Original Petition is dismissed as devoid of merits.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

uma

To

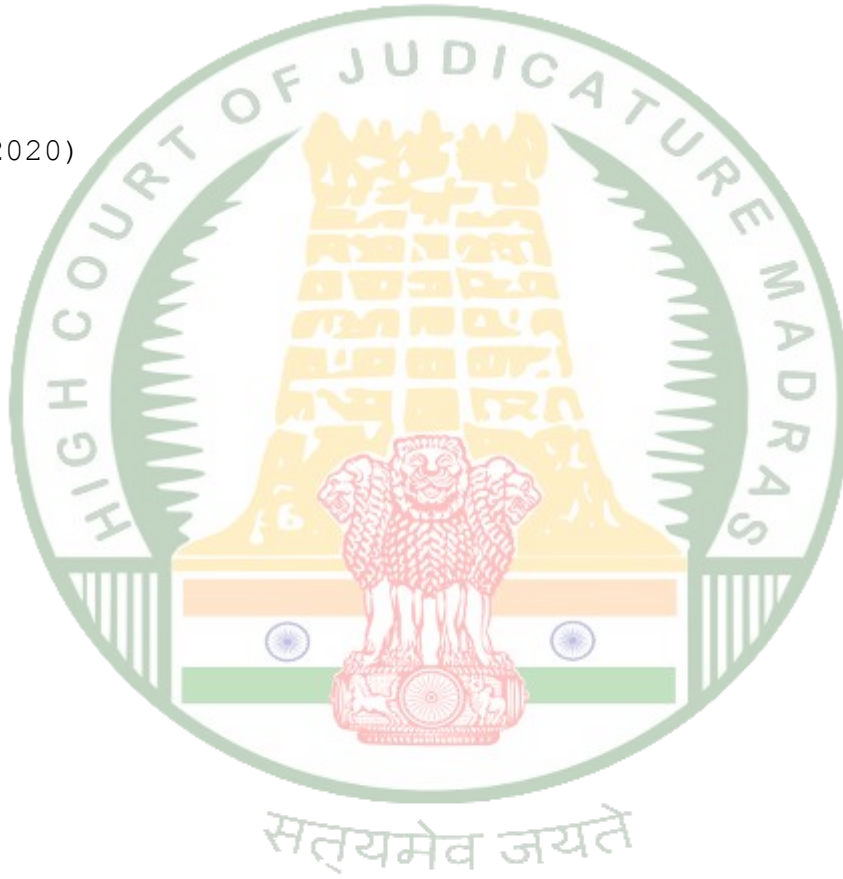
1. The Superintendent of Police
Erode District.

2. The Inspector of Police
Karungalpalayam Police Station
Erode District

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.10871 of 2020

SSV(CO)
GS(21/08/2020)



WEB COPY