IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11053 of 2020

Vishwanathan
S/o. Duruvan
No.4/83, Kalavai Road,
G.M.Nagar, Pudhupadi Village,
Arcot Taluk, Vellore District. ... Petitioner

Vs.

The State rep. by its,
The Sub Inspector of Police,
Arcot Taluk Police Station,
Vellore District.
(Cr.No.338 of 2019) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the District and Sessions Judge, Vellore to take on file of the Crl.M.P.(SR)No.10397 of 2019 filed by the petitioner praying to release his vehicle, Light Goods Vehicle, Tata 207 bearing Registration No. TN-20 BX 4783 seized in Cr.No.338/2019 (CP.No.329 of 2019) and hand over the same to the petitioner within the stipulated time frame to be fixed by this Court.

For Petitioner : Mr.S.P.Arthi

For Respondent: Mr.S.Karthikeyan
Additional Public Prosecutor.

O R D E R

This petition has been filed for a direction, directing the principal District and Sessions Judge, Vellore to take on file in Crl.M.P.(SR)No.10397 of 2019 filed by the petitioner praying to release his vehicle, Light Goods Vehicle, Tata 207 bearing Registration No. TN-20 BX 4783 seized in Cr.No.338/2019 (CP.No.329 of 2019) and hand over the same to the petitioner.

2. The vehicle owned by the petitioner bearing registration No. TN-20 BX 4783 was involved in Crime No.338 of 2019 for the offence under Sections 430 and 379 of IPC. After seizing the

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vehicle, it was deposited. The petitioner filed a petition under Section 451 of Cr.P.C. for returning of his vehicle before the Principal District and Sessions Judge, Vellore. However, it was returned for the reason that during lock down period, only emergent bail petitions alone are entertained and therefore, the petition shall be filed only after the period of lock down.

3. Considering the above facts and circumstances of the case, the petitioner is directed to re-present the petition under Section 451 of Cr.P.C. for return of the vehicle bearing registration No.TN-20 BX 4783. Immediately, on receipt of the same, the Principal District and Sessions Judge, Vellore, is directed to consider the same and pass orders. Since the petition itself is for return of vehicle, the same shall be considered as an urgent petition.

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

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District and Sessions Judge,
   Vellore.

2.The Sub Inspector of Police,
   Arcot Taluk Police Station,
   Vellore District.

3. The Public Prosecutor,
   High Court, Madras.

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