

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 28.07.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11196 of 2020

Munirathinam @ Duraisamy
S/o. Subramani,
No.1/134, Erikarai Street,
Asaiyanoor 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.349 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 the Crl.M.P.(SR)No.10579 of 2019 filed by the petitioner praying to release his vehicle, LMV - Goods Vehicle, Tata 207 bearing Registration No. TN-43 B 0516 seized in Cr.No.349/2019 (CP.No.333 of 2019) and hand over the same to the petitioner within the stipulated time frame fixed by this Court.

For Petitioner : M/s..S.P.Arthi

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor.

ORDER

This petition has been filed for a direction, directing District and Sessions Judge, Vellore to take on file the Crl.M.P.(SR)No.10579 of 2019 filed by the petitioner praying to release his vehicle, LMV - Goods Vehicle, Tata 207 bearing Registration No. TN-43 B 0516 seized in Cr.No.349/2019 (CP.No.333 of 2019) hand over the same to the petitioner.

2. The vehicle owned by the petitioner bearing registration No. TN-43 B 0516 was involved in Crime No.349 of 2019 for the offence under Sections 430 and 379 of IPC. After seizing the vehicle, it was deposited. The petitioner filed a petition under Section 451 r/w. 457 of Cr.P.C. for returning of his vehicle before the 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 r/w. 457 Cr.P.C. for return of the vehicle bearing registration No.TN-43 B 0516. Immediately, on receipt of the same, the 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)

//True Copy//

Sub Assistant Registrar

dh

To

1. The District and Sessions Judge,
Vellore.
- 2.The Sub Inspector of Police,
Arcot Taluk Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.11196 of 2020

A.SK(25/09/2020)

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