

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.11195 of 2020

Sathish

S/o. Kumar

Kanni Kovil Street,

Arapakkam Village,

Walajah Taluk,

Ranipet District.

... Petitioner

Vs.

The State rep. by its,

The Inspector of Police,

Rathinagiri Police Station,

Rathinagiri District.

(Cr.No.20 of 2020)

... 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.1370 of 2020 filed by the petitioner praying to release his vehicle, HMV - Goods Carrier Tipper Lorry, Ashok Leyland bearing Registration No. TN-23 AB 0787 seized in Cr.No.20/2020 (CP.No.28 of 2020) hand over the same to the petitioner within the stipulated time frame fixed by this Court.

For Petitioner : Mr.D.Thirumoorthy

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor.

O R D E R

This petition has been filed for a direction, directing the District and Sessions Judge, Vellore to take on file in Crl.M.P.(SR)No.1370 of 2020 filed by the petitioner praying to release his vehicle, HMV - Goods Carrier Tipper Lorry, Ashok Leyland bearing Registration No. TN-23 AB 0787 seized in Cr.No.20/2020 (CP.No.28 of 2020) hand over the same to the petitioner.

2. The vehicle owned by the petitioner bearing registration No. TN-23 AB 0787 was involved in Crime No.20 of 2020 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-23 AB 0787. 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 (ADI MDU)

//True copy//

Sub Assistant Registrar

dh

To

1. The District and Sessions Judge,
Vellore.

2. The Inspector of Police,
Rathinagiri Police Station,
Rathinagiri District.

3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.11195 of 2020

AJS (CO)
GMY (29/09/2020)

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