

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.10952 of 2020

Arun
S/o.Devan,
No.2/135, Bajanai Koil Street,
Mugalivakkam, Porur,
Chennai.

... Petitioner

Vs.

The State rep. by its,
The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to quash the order dated 11.07.2020 passed by the Principal Sessions Judge, Tiruvallur in Crime No.1514 of 2020 and to set aside the same and consequently direct the learned Principal Sessions Judge, Tiruvallur to number the petition filed by the petitioner for seeking relief to return the vehicle bearing No.TN 04 AP 5124 (Mahindra XUV), Engine Number HJF4A 11814, Chassis Number MA1YT2HJUF6A12591 in seized Crime No.1514 of 2020.

For Petitioner : Mr.R.Thirumoorthy

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

ORDER

This petition has been filed challenging the docket order dated 11.07.2020 passed by the Principal District and Sessions Judge, Tiruvallur in Crime No.1514 of 2020, thereby, dismissed the petition filed by the petitioner for return of his vehicle.

2. The vehicle owned by the petitioner bearing registration No.TN 04 AP 5124 was involved in Crime No.1514 of 2020 for the offence under Section 4(1)(a) of TNPH Act. 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 Principal District and Sessions Judge, Tiruvallur. 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 04 AP 5124. Immediately, on receipt of the same, the Principal District and Sessions Judge, Tiruvallur 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

//True copy//

Sub Assistant Registrar

pvs

To

1. The Principal District and Sessions Judge,
Tiruvallur
2. The Inspector of Police,
Vellavedu Police Station,
Tiruvallur District.
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.10952 of 2020

LN(CO)
GMY(09/09/2020)

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