

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.08.2020
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.11774 of 2020

Mr.Raja
S/o. Periyannan
Jainur village,
Maichettihalli Post,
Krishnagiri District.

... Petitioner

Vs

State Rep. By
The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

... Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the trial Court to release the petitioner's vehicle bearing Reg. No.TN-21-AY-8944 in Crime No.285 of 2019 on the file of the respondent police without insisting the original R.C.Book of the petitioner.

For Petitioner : Mr.M.P.Saravanan
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the trial Court to release the petitioner's vehicle bearing Reg. No.TN-21-AY-8944 in Crime No.285 of 2019 on the file of the respondent.

2. The petitioner's vehicle bearing Reg. No.TN-21-AY-8944 was involved for the offences under Section 379 of IPC in Cr.No.285 of 2019 on the file of the respondent herein. After seizure of the vehicle, it was produced before the concerned Magistrate Court and it was lying before the Principal District and Sessions Judge, Krishnagiri. Therefore, the petitioner earlier filed a petition for return of vehicle under Section 451 of Cr.P.C without original registration certificate of the vehicle. By an endorsement dated 14.07.2020, the learned Principal District and Sessions Judge, Krishnagiri returned the petition for want of original certificate.

3. On perusal of the record, the petitioner had already pledged the original certificate of the vehicle with his private

financier viz., Sri Srinivasa bankers at Kudiyatham. Therefore, the petitioner could not able to produce the original certificate before the Court concerned for return of vehicle.

4. Considering the above facts and circumstances of the case, the petitioner is directed to represent the petition for return of vehicle along with pleading documents and original agreement entered into the petitioner and his private financier viz., Sri Srinivasa bankers at Kudiyatham before the learned Principal District and Sessions Judge, Krishnagiri. On receipt of the same, the learned Principal District and Sessions Judge, Krishnagiri is directed to consider his application and pass orders on merits in accordance with law.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal District and Sessions Judge,
Krishnagiri District

2. The Inspector of Police,
Nagarasampatti Police Station,
Krishnagiri District.

3.The Public Prosecutor,
High Court, Madras.

ssv(co)
aa29/09/2020

Cr1.O.P.No. 11774 of 2020