

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.11798 of 2020

Elumalai

S/o. Annamalai,
No.108, Ganapathi Street,
Murukkambakkam,
Maduranthagam Taluk,
Chengalpet District.

... Petitioner

Vs.

The State rep. by its,
The Inspector of Police,
Anaicut Police Station,
Kancheepuram District.
(Cr.No.280 of 2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the Judicial Magistrate, Maduranthagam to dispose the petition filed by the petitioner in Crl.M.P.No.9 of 2020 praying to release his vehicle, Tractor bearing Registration Number as TN-21 AV-4762 seized in Crime No.280/2019 and hand over the same to the petitioner which is under the custody of respondent.

For Petitioner : Mr.L.Ramu
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor.

ORDER

This petition has been filed for a direction, directing the Judicial Magistrate, Maduranthagam to dispose the petition filed by the petitioner in Crl.M.P.No.9 of 2020 praying to release his vehicle, Tractor bearing Registration Number as TN-21 AV-4762 seized in Crime No.280/2019 and hand over the same to the petitioner which is under the custody of respondent.

2. The vehicle owned by the petitioner bearing registration No. TN-21 AV-4762 was involved in Crime No.280 of 2019. After seizing the vehicle, it was deposited. The petitioner filed a petition under Section 451 of Cr.P.C. for returning of his vehicle before the Judicial Magistrate, Maduranthagam. 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-21 AV-4762. Immediately, on receipt of the same, the Judicial Magistrate, Maduranthagam, is directed to

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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.

05.08.2020

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
dh

To

1. The Judicial Magistrate,
Maduranthagam.
2. The Inspector of Police,
Anaicut Police Station,
Kancheepuram District.
3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

dh



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