

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No. 11991 of 2020

Sivakumar ..Petitioner/Petitioner/Owner of the Property/A1

Vs.

State rep. by
The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
(Crime No.1569 of 2020)

...Respondent/Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Principal District Sessions Judge, Tiruppur to accept the representation of the petition filed by the petitioner, which was returned on 27.07.2020 filed under Section 451 and 457 of Crl.P.C. for the release of the Tipper lorry bearing Registration No. TN 78 B 4799 to take the case on file and proceed in accordance with.

For Petitioner : Mr.M.Rajkumar

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

ORDER

This petition has been filed for a direction directing the Principal District and Sessions Judge, Tiruppur to accept the representation of the petition filed by the petitioner under Section 451 and 457 of Crl.P.C. for return of his vehicle.

2. It is seen that the petitioner vehicle was involved in Crime No.1569 of 2020 registered for the offence under Section 379 I.P.C. pending on the file of Judicial Magistrate, Dharapuram, Tiruppur District. Therefore, the learned Principal District and Sessions Judge, Tiruppur has returned the petition filed by the petitioner for return of his vehicle for the reason that the petition mentioned F.I.R. was not yet received by the said court and the offence under Section 21(1) of Mines and Minerals Act was not added in the F.I.R.

3. Considering the facts and circumstances, the petitioner is directed to file a petition for return of his vehicle before the concerned jurisdictional Magistrate viz., Judicial Magistrate, Dharapuram in Crime No.1569 of 2020, and on receipt of the same, the learned Judicial Magistrate, Dharapuram is directed to consider the same on merits in accordance with law.

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

Sd/-

Assistant Registrar (ADI MDU)

//True copy//

Sub Assistant Registrar

rpp

To

- 1.The Principal District and Sessions Judge,
Tiruppur.
2. The Judicial Magistrate, Dharapuram.
3. The Inspector of Police,
Dharapuram Police Station,
Tiruppur District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No. 11991 of 2020

ADI (CO)

GMV (23/09/2020)

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