

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.12129 of 2020

Jeyakumar,
S/o. Arumugam,
Kodampakkam,
Pondicherry - 605 502

... Petitioner

Vs

The Station House Officer,
Kullanchavadi Police Station,
Cuddalore District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent to comply the order passed in C.M.P. No.223/2020 dated 07.03.2020, on the file of District Munsif cum Judicial Magistrate, Kurunjipadi.

For Petitioner : Mr. N.Ranjith Kumar

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

O R D E R

This petition has been filed seeking direction directing the respondent to comply the order passed in C.M.P. No.223 of 2020 dated 07.03.2020, on the file of District Munsif cum Judicial Magistrate, Kurunjipadi.

2. It is seen that the petitioner's vehicle bearing Reg. No. TN-51-P-5936, was involved in Cr.No.302 of 2019 registered for the offence under Section 379 IPC and 21(1) of Mines & Minerals (Development & Regulation) Act, 1957. The petitioner is the owner of vehicle and therefore, he filed a petition in C.M.P. No. 223 of 2020 before the District Munsif cum Judicial Magistrate, Kurunjipadi, for production of his vehicle. The learned Magistrate, by order dated 07.03.2020, directed the respondent Police to produce the vehicle bearing Reg. No. TN-51-P-5936, within a period of two weeks. But the respondent Police did not produced the vehicle before the Court concerned. Aggrieved by the same, the petitioner filed the present petition.

3. Learned Additional Public Prosecutor appearing on behalf of the respondent submitted that whenever the said vehicle was produced before the Court concerned, the Office of the Court is not accepting the vehicle.

4. Considering the above submission, the respondent Police is directed to produce the vehicle bearing Reg. No. TN-51-P-5936, before the Court concerned, forthwith and on production of vehicle, the District Munsif cum Judicial Magistrate, Kurunjipadi, is directed to accept the vehicle and consider the petition for return of vehicle, on merits and in accordance with law.

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

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

bkn

To

- 1.The District Munsif cum Judicial Magistrate,
Kurunjipadi
- 2.The Station House Officer,
Kullanchavadi Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court,
Madras.

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VS (CO)
GMY (24/09/2020)