

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12758 of 2020

Mahendhiran

...Petitioner

Vs.

The Inspector of Police,
Chengalpet Taluk Police Station,
Chengalpet District. (Crime No.58 of 2020).

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned District and Sessions Judge, Chengalpattu to take on file the petition filed by the petitioner in Crl.MP.Sr.No.1177 of 2020 praying to release his vehicle, JCB bearing registration number as TN-47-Y-7969 seized in Crime No.58 of 2020 and hand over the same to the petitioner within the stipulated time frame.

For Petitioner

:Mr.L.Ramu

For Respondent

:Mr.S.Karthikeyan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for a direction, to direct the learned District and Sessions Judge, Chengalpattu to take on file the petition filed by the petitioner in Crl.MP.Sr.No.1177 of 2020 praying to release his vehicle, JCB bearing registration number as TN-47-Y-7969 seized in Crime No.58 of 2020 and hand over the same to the petitioner within the stipulated time frame.

2. It is seen from the records that the petitioner's vehicle bearing registration No. TN-47-Y-7969 involved in Crime No.58 of 2020 registered for the offences punishable under Sections 430 and 379 of IPC r/w 21(1) of M.M Act has been seized by the respondent police and it is yet to be produced before the Magistrate Court concerned.

3. Further it is seen that the petitioner has filed a petition to return of property before the learned Principal District and Sessions Judge, Chengalpattu praying to return his vehicle under Sections 451 and 457 of Cr.P.C in

Cr1.MP.SR.No.1177 of 2020, the same was taken on file and is kept pending disposal. In view of the prevailing COVID-19 Pandemic situation as there was a circular to entertain only most urgent petitions.

4. Since the prayer sought for in this petition is to return the vehicle and always an urgency prevails there, it can be considered as an urgent petition.

5. Considering the facts and circumstances of the case, the respondent police is directed to deposit the vehicle bearing registration No. TN-47-Y-7969 involved in Cr.No.58 of 2020 registered for the offences punishable under Sections 430 and 379 of IPC r/w 21(1) of M.M Act before the learned District and Sessions Judge, Chengalpattu, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the vehicle, the learned District and Sessions Judge, Chengalpattu, is directed to take up the petition filed by the petitioner under Sections 430 and 379 of IPC r/w 21(1) of M.M Act for return of vehicle, on file immediately and to consider the same and pass orders on merits and in accordance with law.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District and Sessions Judge, Chengalpattu.
2. The Inspector of Police,
Chengalpet Taluk Police Station,
Chengalpet District.
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.12758 of 2020

AJS (CO)
RV(03/11/2020)