

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.12828 of 2020

John Baskar

... Petitioner/
Owner of the Vehicle

Vs.

State Rep. by
The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District,
(Crime No.1253 of 2020)

... Respondent/
Complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the learned Judicial Magistrate, Uthukottai to receive the return of property petition bearing Registration No.TN-05-BX-8476 from the petitioner in connection with Crime No.1253 of 2020 on the file of the respondent.

For Petitioner :Mr.R.Sasikumar

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 Judicial Magistrate Court, Uthukottai to receive the return of property petition bearing Registration No.TN-05-BX-8476 from the petitioner in connection with Crime No.1253 of 2020 on the file of the respondent.

2. It is seen from the records that the petitioner's vehicle bearing registration No. TN-05-BX-8476 involved in Crime No.1253 of 2020 registered for the offences punishable under Sections 4(1) (a) of TNP 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 Judicial

Magistrate, Uthukottai through online and the same was returned on 16.07.2020. 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-05-BX-8476 involved in Cr.No.1253 of 2020 registered for the offences punishable under Sections 4(1) (a) of TNP Act before the learned Judicial Magistrate Court, Uthukottai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the vehicle, the learned Judicial Magistrate Court, Uthukottai, is directed to take up the petition filed by the petitioner under Sections 4(1) (a) of TNP 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(CCC)

//True Copy//

Sub Assistant Registrar

gbi

To

1.The Judicial Magistrate,
Uthukottai.

2.The Chief Judicial Magistrate,
Thiruvallur District(For information)

3.The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.

4.The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.12828 of 2020

NR(CO)
CB(29/10/2020)