

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 26.08.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN  
Crl.O.P.No.13008 of 2020

Magesh Kumar  
S/o.Manogaran,  
No.153/192, Solayappan Street,  
Washermenpet,  
Chennai 600 021.

... Petitioner

Vs.

State Rep by its:-  
Inspector of Police,  
M-5, Ennore Police Station,  
Ennore, Chennai.  
(Crime No.3667/2020)

... Respondent

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, praying to direct the respondent to return the petitioner vehicle bearing Registration No.TN-28-AD-1743 seized by the respondent on 28.07.2020 in connection with Crime Number and pending investigation in Crime No.3667 of 2020 on the file of the Inspector of Police, M-5 Ennore Police Station, Ennore, Chennai.

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

O R D E R

This Criminal Original Petition has been filed to direct the respondent to return the petitioner vehicle bearing Registration No.TN-28-AD-1743 seized by the respondent on 28.07.2020 in connection with Crime Number and pending investigation in Crime No.3667 of 2020 on the file of the Inspector of Police, M-5 Ennore Police Station, Ennore, Chennai.

2. The learned counsel for the petitioner submitted that the petition for return of his vehicle has been filed before the learned Judicial Magistrate, Thiruvotriyur and the same was returned for the reason that the respondent did not produce the property even till now in Crime No.3667 of 2020.

3. Considering the above submissions, the learned Additional Public Prosecutor submitted that the vehicle which was involved in Crime No.3667 of 2020 has been not yet surrendered before the Jurisdictional Magistrate Court due to Covid-19 pandemic circumstances. Now, the respondent is ready to surrender the vehicle before the concerned Jurisdictional Court. Once again, the respondent is directed to produce the vehicle in Crime No.3667 of 2020, forthwith before the learned Judicial Magistrate, Thiruvotriyur. Thereafter, the petitioner is at liberty to represent the application for return of his vehicle before the learned Judicial Magistrate, Thiruvotriyur. On receipt of the same, the learned Judicial Magistrate, Thiruvotriyur, is directed to consider the same and pass orders on merits and in accordance with law.

4. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vsn

To

1.The Judicial Magistrate, Thiruvotriyur

2.The Inspector of Police,  
M-5, Ennore Police Station,  
Ennore, Chennai.

3. The Public Prosecutor  
High Court, Madras.

Crl.O.P.No.13008 of 2020

A.SK(07/10/2020)

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