

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.09.2020

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.R.C.No.739 of 2020

Arivarasan

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Petitioner

Vs.

State, represented by
The Inspector of Police
Avadi Police Station
Chennai City.

(Crime No.258 of 2020)

..

Respondent/Complainant

Criminal Revision Petition filed under Section 397 & 401 of Cr.P.C., praying to set aside the orders of the learned Judicial Magistrate No.II, Poonamallee, communicated by e-mail dated 16.08.2020 and direct the learned Judicial Magistrate No.II, Poonamallee or in the alternative, the respondent herein to return the Hyundai Xcent Prime car bearing registration No. TN 12 AC 7896 to the custody of the petitioner herein by allowing this revision.

For Petitioner : Mr.A.M.Rahmath Ali

For Respondent : Mrs.P.Kritika Kamal
Govt. Advocate (Crl. Side)

ORDER

This case is taken up through Video Conferencing.

2. The petitioner filed a petition under Section 451 & 457 Cr.P.C., before the learned Judicial Magistrate No.II, Poonamallee, by email, for return of his Hyundai car, which has been seized by the police during investigation in Crime No.258 of 2020.

3. The learned Magistrate, by impugned e-mail order dated 16.08.2020, has refused to entertain the petition, on the ground that due to COVID-19 pandemic, physical appearance was not permitted by the High Court, and that there was a direction from the High Court that the Magistrate should entertain only emergent applications/petitions. Therefore, the petition filed by the petitioner was not taken on file by the learned Magistrate and it is also stated in the impugned

order that the petitioner can approach him, after the lock down is lifted.

4. Since, the lock down has now been lifted and the trial Courts have started functioning, the petitioner may appear before the trial Court. Hence, this petition is closed with liberty to the petitioner to approach the learned Judicial Magistrate No.II, Poonamallee, for return of his vehicle.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1.The Judicial Magistrate No.II
Poonamallee.

2.The Inspector of Police
Avadi Police Station
Chennai City.

3.The Public Prosecutor
High Court of Madras
Chennai - 600 104.

Cr1.R.C.No.739 of 2020

SR(CO)
GN(20/10/2020)

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