

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.RC.No.722 of 2020

Mohan

... Petitioner

Vs.

State, by
The Inspector of Police
Sembanarkovil Police Station
Nagapattinam District.
(Crime No124 of 2020

.... Respondent

Criminal Revision Petition filed under Sections 397 & 401 Cr.P.C., praying to call for the records and set aside the order passed in Crl.M.P.No.1917 of 2020 on the file of the District and Sessions Judge, Nagapattinam District, dated 23.07.2020, to return the tractor bearing Engine No.E3471961 Chasis No. T0534198643G.

For Petitioner : Mr.T.Elumalai
For Respondent : Mrs.P.Kritika Kamal
Government Advocate
(Crl. Side)

O R D E R

This case is taken up through video conferencing.

2. This criminal revision has been filed seeking to set aside the order dated 23.07.2020 passed in Crl.M.P.No.1917 of 2020 on the file of the District and Sessions Court, Nagapattinam.

3. The petitioner is the owner of the Tractor which was seized on 21.02.2020, while transporting 1½ unit of sand and a case was registered in Crime No.124 of 2020 for the offences under Section 379, 430 IPC and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957. The petitioner filed Crl.M.P.No..1917 of 2020 before the District and Sessions Court, Nagapattinam, under Section 451 Cr.P.C. for interim custody of

the vehicle, which was dismissed on 23.07.2020, challenging which, the petitioner has preferred the present revision petition.

4. Heard Mr.T.Elumalai, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) appearing for the respondents 1 and 2.

5. The learned Government Advocate (Criminal Side) submitted that the vehicle which was caught hold by the respondent during illegal sand mining, was found without number plate.

6. Taking note of the submission of the learned Government Advocate (Criminal Side) that the vehicle (Tractor) was used without number plate for illegal sand mining, this Court is not inclined to release the said vehicle. Hence, this Criminal Revision Petition is dismissed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

ds

To:

1.The District and Sessions Judge
Nagapattinam District

2.The Inspector of Police
Sembanarkovil Police Station
Nagapattinam District.

3.The Public Prosecutor
High Court, Madras 600 104.

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VD(CO)
SP(28/10/2020)