

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

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

Cr1.M.P.No.5259 of 2020

in Cr1.R.C.No.566 of 2020

Anwardheen

... Petitioner

Vs.

State represented by
The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
(Crime No.475 of 2020)

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. seeking to modify the condition imposed in Cr1.R.C.No.566 of 2020 dated on 22.07.2020 that "(vi) the petitioner shall surrender the original R.C. Book before the District and Sessions Court, Nagapattinam".

For Petitioner : Mr.J.Jawahar

For Respondents: Mr.P.Kritika Kamal
Government Advocate
(Cr1. Side)

ORDER

This case is taken up through video conferencing.

2. This Court, vide order dated 22.07.2020 in Cr1.R.C.No.566 of 2020, directed interim custody of the vehicle bearing Registration No.TN-50-A-5017 to the petitioner on certain conditions, one of which is that the petitioner shall surrender the original R.C. book before the District and Sessions Court, Nagapattinam.

3. This petition has been filed for modification of the above said condition on the ground that the petitioner had purchased the vehicle on 20.03.2020 and before he could comply with the transfer formalities of R.C. book, his vehicle was

seized. It is his contention that, only if the vehicle is produced before the R.T.O., will the name transfer be done. Hence, this petition.

4. Accepting the aforesaid stand of the petitioner, the petitioner is directed to file an affidavit before the District and Sessions Court, Nagapattinam, undertaking to submit the R.C. book within four weeks from the date of taking custody of the vehicle. On such affidavit being filed, the condition No.7 (vi) shall stand waived and the custody of the vehicle may be given to the petitioner. On the failure of the petitioner to submit the R.C. book within four weeks from the date of taking custody of the vehicle, the respondent Police shall seize the vehicle and the order dated 22.07.2020 in CrI.R.C.No.566 of 2020 will stand automatically cancelled.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Inspector of Police,
Velankanni Police Station,
Nagapattinam District.
- 2.The Public Prosecutor,
Madras High Court,
Chennai - 600104.
- 3.The District and Sessions Judge,
Nagapattinam.
- 4.The Tahsildar,
Nagapattinam.

CrI.M.P.No.5259 of 2020
in CrI.R.C.No.566 of 2020

SSV(CO)
CB(14/10/2020)