

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 14459 of 2020

Mr. Anandhan  
S/o Ramachandran,  
No.4-117, M.G.R. Nagar,  
Thiruvalam Road,  
Pootuthakku, Melaminna,  
Arapakkam, Vellore District. .... Petitioner

Vs.

State by  
The Inspector of Police,  
Rathinagiri Police Station,  
Vellore District.  
(Cr.No.59 of 2020) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent herein to return the petitioner vehicle namely, Ashok Leyland Lorry bearing Registration No.TN 73 H 8188, 47 AJ 3053, Engine No.EWEZ414230 and pass orders.

For Petitioner :Mr.A. Saran Raj

For Respondent :Mr.S.Karthikeyan  
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to direct the respondent herein to return the petitioner's vehicle namely, Ashok Leyland Lorry bearing Registration No.TN 73 H 8188, 47 AJ 3053, Engine No.EWEZ414230.

2. The Lorry belonging to the petitioner was seized by the respondent police in Crime No.59 of 2020. The petitioner filed a petition on 24.07.2020 seeking for return of the Lorry. This petition was not entertained by the Court below and therefore, the present Criminal Original Petition has been filed before this Court.

3. The position of law has been clarified by this Court by the Judgment made in Muthu Vs. The District Collector, Puducherry and others in W.P(MD)No.19936 of 2017 etc., wherein this Court has given guidelines with regard to the manner in which the petition filed for return of vehicle should be entertained by the concerned Jurisdictional Court.

4. This Criminal Original Petition is disposed of by giving liberty to the petitioner to re-present the petition for release of vehicle before the Judicial Magistrate, Arcot and the said petition shall be entertained by the Court below and shall be decided in accordance with the guidelines given by this Court in the Judgment referred supra, within a period of two weeks from the date of receipt of copy of this order .

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smn

To

1.The Inspector of Police,  
Rathinagiri Police Station,  
Vellore District.  
(Cr.No.59 of 2020)

2.The Judicial Magistrate,  
Arcot.

3.The Public Prosecutor,  
High Court, Madras.

Cr1.O.P.No.14459 of 2020

RSK (CO)  
RMP (07/10/2020)

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