

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 07.09.2020

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.13788 of 2020

Karthic,
S/o.Nagarajan,
No.10/257, Kumaran Road,
Valparai,
Coimbatore District.

... Petitioner

Vs.

The Inspector of Police,
Mangalam Police Station,
Tirupur.

... Respondent

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, praying to direct the Judicial Magistrate No.IV at Tiruppur in Crl.M.P.No.1319 of 2020 dated 09.07.2020 to speedy disposal of petition under Section 451 of Code of Criminal Procedure.

For Petitioner : Mr.S.Saravanan Sateesh Kumar
For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed seeking a direction to the Judicial Magistrate No.IV at Tiruppur in Crl.M.P.No.1319 of 2020 dated 09.07.2020 to speedy disposal of petition under Section 451 of Code of Criminal Procedure.

2. The car belonging to the petitioner was seized by the respondent police in Crime No.602 of 2020 for an offence under Sections 4 (1) (a) and 4 (1-A) IPC of Tamil Nadu Prohibition Act 1937. The petitioner filed a petition in Crl.M.P.No.1319 of 2020 on 09.07.2020 seeking for return of the car. 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, No.IV, Tiruppur 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 four weeks from the date of receipt of copy of this order .

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vsn

To

- 1.The Judicial Magistrate No.IV, Tiruppur
2. Do thro the Chief Judicial Magistrate, Tiruppur.
- 3.The Inspector of Police,
Mangalam Police Station,
Tirupur.
4. The Public Prosecutor
High Court, Madras.

A.SK(07/10/2020)

Cr1.O.P.No.13788 of 2020

सत्यमेव जयते

WEB COPY