

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2020

CORAM

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

Crl.RC.No.843 of 2020

M.Usha ... Petitioner

Vs.

State, by
The Inspector of Police
Voimedu Police Station
Nagapattinam District.
(Crime No.182 of 2019) ... Respondent

Criminal Revision Petition filed under Sections 397 & 401 Cr.P.C., praying to set aside the order passed in Crl.M.P.No.756 of 2020 dated 03.03.2020 on the file of the learned District and Sessions Judge, Nagapattinam and further direct the respondent to return the petitioner's vehicle Mahindra Tractor bearing No.TN-51-F-3426, seized in Crime No.182 of 2019 on the file of the respondent police.

For Petitioner : Mr.P.Muthamizh Selvakumar

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 03.3.2020 passed in Cr.M.P.No.756 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 03.11.2019, while transporting sand and a case was registered in Crime No.182 of 2019 for the offences under Section 379 IPC and Section 21(1) of Mines & Minerals (Development & Regulation) Act, 1957. The petitioner filed Cr.M.P.No.756 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 03.3.2020, challenging which, the petitioner has preferred the present revision petition.

4. Heard Mr.P.Muthamizh Selvakumar, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) appearing for the respondent.

5. The learned Government Advocate (Criminal Side) submitted that the vehicle which was seized 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To:

1.The Inspector of Police,
Voimedu Police Station,
Nagapattinam District.

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

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srg 05/11/2020