



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.02.2020

CORAM:

THE HONOURABLE **MR. JUSTICE A.D. JAGADISH CHANDIRA**

Crl.O.P. (MD) No.2636 of 2020

K.Sarathkumar

: Petitioner/Sole Accused

Vs.

State rep by
The Inspector of Police,
Elumalai Police Station,
In Cr.No.391 of 2019,
Madurai District.

: Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C., to modify the second condition as to produce the photo copy of the original RC book instead of to produce original RC book of the Tipper Lorry bearing registration No.TN-42-J-0716 in Crl.M.P. No.381 of 2020 on the file of the Principal Sessions Judge, Madurai in Crime No.391 of 2019.

For Petitioner

: Mr.C.Susi Kumar

For Respondent

: Mr.S.Chandrasekar,

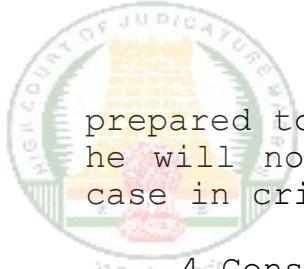
Additional Public Prosecutor.

ORDER

This criminal original petition has been filed to modify the second condition as to produce the photo copy of the original RC book instead of to produce original RC book of the Tipper Lorry bearing registration No.TN-42-J-0716 in Crl.M.P.No.381 of 2020 on the file of the Principal Sessions Judge, Madurai in Crime No.391 of 2019.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the tipper lorry bearing registration No.TN-42-J-0716 and that the petitioner's lorry was seized by the respondent police in connection with a case in crime No.391 of 2019 and hence, the petitioner filed a petition in Crl.M.P.No.381 of 2020 before the learned Principal Sessions Judge, Madurai for return of vehicle. The learned Judge allowed the petition, however, directed the petitioner to produce the original RC book before the Court.

3.The learned counsel would submit that the vehicle had been purchased under a financial arrangements with Manapuram Finance Private Ltd., and the petitioner is yet to complete the payment and thereby, the finance company in holding the original RC book and therefore, the petitioner is unable to produce the same before the trial Court. The learned counsel would submit that in view of the non-production of the original RC book, the petitioner is also



prepared to file necessary affidavit before the concerned Court that he will not make alienate in the vehicle till the disposal of the case in crime No.391 of 2019.

4. Considering the facts and circumstances of the case, the condition No.ii made in Crl.M.P.No.381 of 2020 dated 06.02.2020, is modified, however, in view of the non-production of the original RC book, the petitioner is directed to file necessary affidavit stating that he will not alienate in the vehicle till the disposal of the case in crime No.391 of 2019. Accordingly, this criminal original petition stands allowed.

Sd/-

Assistant Registrar (CO)

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/ /2020

Sub Assistant Registrar(CS)

gns

To

1.The Principal Sessions Judge, Madurai.

2.The Inspector of Police,
Elumalai Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.SUSIKUMAR, Advocate (SR-8571[F] dated 26/02/2020)

Crl.O.P.(MD)No.2636 of 2020
26.02.2020

KK/03.03.2020/2P-5C