



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 22.07.2020

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THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.284 of 2020

Babu Rajan

.. Petitioner

Vs.

State rep. by the Sub Inspector of Police,
Thuckalay Police Station,
Kanyakumari District
In Crime No.617 of 2019

.. Respondent

Prayer : This criminal revision case is filed under Sections 397 r/w. 401 of Cr.P.C., to call for the records in pursuance of the order passed by the learned District and Principal Sessions Judge, Kanyakumari at Nagercoil in Crl.M.P.No.700 of 2020, dated 18.02.2020 and to set aside the same.

For Petitioner : Mr.S.J.Chakkaravarthy

For Respondent : Mr.K.Dinesh Babu

Additional Public Prosecutor

O R D E R

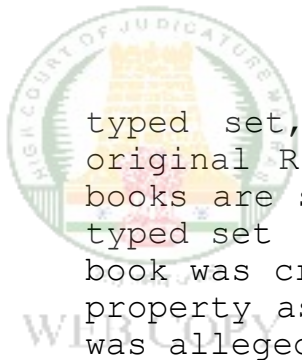
This revision has been filed to call for the records in pursuance of the order passed by the learned District and Principal Sessions Judge, Kanyakumari at Nagercoil in Crl.M.P.No.700 of 2020, dated 18.02.2020 and to set aside the same.

2. On the side of the petitioner, it is stated that the petitioner is the owner of the vehicle and as the vehicle is kept in the custody of the respondent for the past six months, the value of the vehicle is deteriorating due to climatic conditions. It is stated that the driver of the vehicle misused the vehicle and the petitioner is no way connected with the offence and that there is only formal objections raised by the prosecution and prayed the vehicle to be returned to the petitioner.

3. On the side of the prosecution, it is stated that the petitioner created fake R.C. book, number plate, Chasing number and Engine number and at the time of seizure of the vehicle, the available vehicle No is TN 23 AB 9599, whereas the original number of the vehicle is TN 74 M 5259.

4. Records perused. Copy of the fake R.C. book was annexed with the typed set. The original R.C.book was also annexed in the

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typed set, photocopy of the petitioner is not available in the original R.C.book and the name of the petitioner in both the R.C. books are same. The photocopy was also annexed in page No.3 of the typed set i.e. the fake R.C. book. It is seen that the fake R.C. book was created regarding the vehicle, the name of the owner of the property as in the fake R.C. book is the petitioner. The vehicle was alleged to have been used for sand theft.

5. Considering the nature of offence and considering the creation of fake R.C. book, this Court is not inclined to return the vehicle to the petitioner. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The District and Principal Sessions Judge,
Kanyakumari at Nagercoil
- 2.The Sub Inspector of Police,
Thuckalay Police Station,
Kanyakumari District
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl. R.C.(MD)No.284 of 2020

22.07.2020

SMA/30/07/2020/2P/4C