



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.06.2020

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.O.P. (MD) .No.6507 of 2020

WEB COPY

Prabu

... Petitioner/Petitioner

Vs.

The Sub Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.

Crime No.117/2020

... Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate, Tirupattur, Sivagangai District to number the un-numbered Cr.M.P.SR.No.541 of 2020 filed under Section 451 and 457 of Cr.P.C. and dispose the same within time limit fixed by this Court.

For Petitioner	:	Mr.RM.Arun Swaminathan
For Respondent	:	Mr.K.K.Ramakrishnan
		Additional Public Prosecutor

ORDER

The petitioner has approached this Court for a direction to the learned Judicial Magistrate, Tirupattur, Sivagangai District, to number the un-numbered Cr.M.P.SR.No.541 of 2020 filed under Sections 451 and 457 of Cr.P.C., and dispose of the same within a stipulated period.

2.The learned counsel for the petitioner submits that the petitioner has moved an application for return of property in Crime No.117 of 2020, before the learned Judicial Magistrate, Tirupattur, on 05.06.2020 and the same was returned by the learned Judicial Magistrate stating that in view of the COVID 19 pandemic, the application of petitioner cannot be entertained and therefore, he approached this Court for the relief sought for.

3.The learned Additional Public Prosecutor on instructions submits that in view of the lock down announced by the Government, the Courts were not functioning. Hence, the Property was not produced before the Court concerned. He further submits that from 29.06.2020, the Judicial Magistrate Courts will entertain the application filed under Section 451 Cr.P.C and therefore, the petitioner can very well represent his application before the concerned Judicial Magistrate.

4.Heard Mr.RM.Arun Swaminathan, learned counsel for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondent police.



5.In view of the submissions made by the learned Additional Public Prosecutor that the Courts below are entertaining the application filed under Section 451 Cr.P.C, the petitioner is directed to renew his petition filed for return of property before the concerned Judicial Magistrate.

6.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM/PM

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, 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 Judicial Magistrate,
Tirupattur,
Sivagangai District.
- 2.The Sub Inspector of Police,
Keelasevalpatti Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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