



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.O.P(MD)No.6894 of 2020

Leostella

:Petitioner

Vs

The Sub Inspector of Police
Kamuthi Police Station
Ramanathapuram
(Crime No.200 of 2020)

: Respondent

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to direct the respondent police to release the Maruti Swift Car of the petitioner bearing Registration No.TN91F4865 which was seized by the respondent police in connection with Crime No.200 of 2020 dated 23.04.2020 and in connection with law.

For Petitioner	: Mr.A.Uthayakumar
For Respondent	: Mr.K.K.Ramakrishnan
	Additional Public Prosecutor

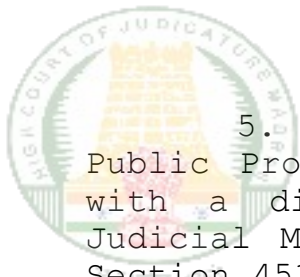
ORDER

This petition has been filed for a direction to the respondent police to release the Maruti Swift Car of the petitioner bearing Registration No.TN91F4865 which was seized by the respondent police in connection with Crime No.200 of 2020 dated 23.04.2020.

2.The case of the petitioner is that on violation of lock down, the petitioner's vehicle bearing Registration No.TN91F4865 has been seized by the respondent police on 23.04.2020 and the same has not been returned to the petitioner. Hence, the petitioner is before this Court.

3.The learned Additional Public Prosecutor, on instructions, submits that the petitioner's vehicle has been seized pursuant to the case registered in Crime No.200 of 2020 for the offence under Sections 353, 417, 188, 269, 270, 279 I.P.C, Section 138 of Tamil Nadu Public Health Act, Section 3 of Epidemic Disease Act, 1897 and Section 51(b) of the Disaster Management Act, 2005. He further submits that due to Covid-19 pandemic, the respondent police is not in a position to produce the vehicle before the concerned Magistrate Court. The learned Additional Public Prosecutor undertakes that the respondent police will produce the petitioner's vehicle by tomorrow ie. on 02.07.2020.

4.Heard, Mr.A.Uthayakumar, learned counsel for the petitioner and Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the State.



5. In view of the submission made by the learned Additional Public Prosecutor, this Criminal Original Petition is disposed of with a direction to the petitioner to approach the concerned Judicial Magistrate Court and file a necessary application under Section 451 of Cr.P.C. for releasing his vehicle. If such a petition is filed, the concerned learned Judicial Magistrate shall entertain the said application and pass orders as per the guidelines given by the Hon'ble Supreme Court in the case of **Sunderbhai Ambalal Desai vs. State of Gujarat**, reported in **(2002) 10 SCC 290.**

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

msa/vsm

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 Sub Inspector of Police
Kamuthi Police Station
Ramanathapuram
(Crime No.200 of 2020)
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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KB(08.07.2020) 2P 3C