



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.(MD)No.8174 of 2020

WEB COPY

Rajendran

... Petitioner

Vs.

1.The Inspector of Police,  
Nayinaarkovil Police Station,  
Paramakudi, Ramanathapuram District.  
(Crime No.48 of 2020)

2.Revenue Divisional Officer,  
Revenue Divisional Office,  
Paramakudi.

3.The Assistant Director,  
Mines and Minerals Department,  
Ramanthapuram.

4.The Thasildhar,  
Thasildhar Office, Paramakudi.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the Principal District Sessions Court, Ramanathapuram, to dispose the petition in Crl.M.P.No.1333 of 2020 filed by the petitioner, which is for returning the case property, within the time frame as fixed by this Court.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

### **O R D E R**

This criminal original petition has been filed seeking a direction to direct the learned Principal District Sessions Court, Ramanathapuram, to dispose of the petition in Crl.M.P.No.1333 of 2020 which is filed under Sections 451 and 457 Cr.P.C., within the time frame as fixed by this Court.

2.The learned counsel appearing for the petitioner would submit that the petitioner is the owner of the JCB bearing Registration No.TN-65-AV-7518. The said vehicle was seized by first respondent police in relates to the case registered in crime No.48 of 2020 for the offence punishable under Section 379 IPC and Section 21(1) of



the Mines and Minerals Act. He would further submit that the petitioner is not an accused in the above said case. Accordingly, he prayed for early disposal of the petition in Crl.M.P.No.1333 of 2020, which has been filed for interim custody of the above said vehicle.

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3.The learned Additional Public Prosecutor appearing for the respondents would submit that since the petition mentioned vehicle was seized by the respondent police in respect to the case registered for the offence punishable under Section 21 (1) of the Mines and Minerals Act, it is the duty of the respondent police to confiscate the said vehicle to the State.

4.Upon considering the arguments advanced by the learned counsel on either side, now on going through copy of the petition filed by the petitioner, it is seen that the petition presented by the petitioner was assigned with case number as Crl.M.P.No.1333 of 2020. In the said circumstances, it is the duty vested upon the learned Principal District Sessions Court, Ramanathapuram is to dispose the petition in either way. Since this petition is filed for limited relief of early disposal, this Court directs the learned Principal District Sessions Court, Ramanathapuram to dispose of the petition in Crl.M.P.No.1333 of 2020 on merits, within a period of two weeks from the date of receipt of a copy of this order.

5.In the result, this criminal original petition is allowed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Gns

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 Inspector of Police,  
Nayinaarkovil Police Station,  
Ramanathapuram District.

<https://hcservices.ecourts.gov.in/hcservices>



2.Revenue Divisional Officer,  
Revenue Divisional Office, Paramakudi.

3.The Assistant Director,  
Mines and Minerals Department, Ramanthapuram.

4.The Thasildhar,  
Thasildhar Office, Paramakudi.

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

CrI.O.P. (MD)No.8174 of 2020  
05.08.2020

VB (21.08.2020) 3P 6C