



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2020

CORAM:

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

CrI.O.P.(MD)No.8842 of 2020

K.Mathanaraj

... Petitioner

Vs.

The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent herein to surrender the lorry (Eicher 11-10 Model) Vehicle bearing No.TN50 T 7068 to the concerned Judicial Magistrate No.VI, Trichy related to the Crime No.34 of 2020 CrI.M.P.No.832 of 2020.

For Petitioner	: Mr.B.Saravanan
For Respondent	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the respondent herein to surrender the lorry (Eicher 11-10 Model), which was seized as material object in Crime No.34 of 2020, to the concerned Judicial Magistrate No.VI, Trichy, in CrI.M.P.No.832 of 2020.

2.The learned counsel for the petitioner would submit that while at the time of disposing CrI.M.P.No.832 of 2020, dated 13.02.2020, the learned Judicial Magistrate No.VI, Trichy, directed the respondent police to produce the above referred lorry immediately. Though the said order was passed in the month of February, 2020, the respondent police has not obeyed the order passed by the learned Judicial Magistrate No.VI, Trichy.

3.In this regard, the learned Government Advocate appearing for the respondent made an undertaking on behalf of the respondent to produce the said vehicle, within a period of one week from the date of order.

4.Now the circumstances indicated by the petitioner clearly prove that the respondent police is not in a position to obey the order passed by the learned Judicial Magistrate No.VI, Trichy. Therefore, if this type of act committed by the respondent police is not interfered, the function of judiciary would be affected. Hence it would be appropriate to direct the Commissioner of Police, Trichy, to take disciplinary proceeding against the Inspector of Police, who is responsible for disobeying the order passed by the learned Judicial Magistrate No.VI, Trichy and the respondent is



directed to produce the vehicle, within a period of one week from today.

5. With the above directions, this Criminal Original Petition is disposed of.

WEB COPY

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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 judicial Magistrate No VI
Trichy.

2.The Commissioner of Ploice,
Trichy.

(With Emclosure of order copy in crl.MP.No 832 of 2020 dated
13.02.2020 of the Judicial Magistrate No VI, Trichy

3.The Inspector of Police,
Ariyamangalam Police Station,
Trichy District.

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

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24.08.2020

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