



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.16074 of 2020

John Peter

... Petitioner

Vs

1. The Superintendent of Police,
Dindigul District, Dindigul.
2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.
(In Crime No.1146 of 2020)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to release the petitioner's vehicle of JCP (Earth moving equipment or machine) bearing Registration Number TN 20 BC 7215 from the custody of the second respondent in respect of in Crime No.1146 of 2020 dated 14.10.2020 by considering the petitioner's representation dated 14.10.2020 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.Sivaprakash

For Respondents : Mr.C.Ramesh

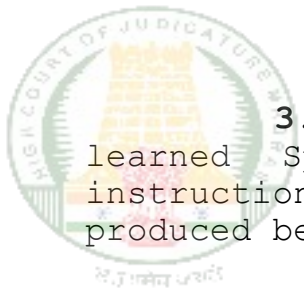
Special Government Pleader

ORDER

(This Petition was heard through the Video Conferencing)

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to release the petitioner's vehicle viz., JCP (Earth moving equipment or machine) bearing Registration Number TN 20 BC 7215 from the custody of the second respondent in respect of Crime No.1146 of 2020 dated 14.10.2020 by considering the petitioner's representation dated 14.10.2020

2. Heard Mr.S.Sivaprakash, learned counsel for the petitioner and Mr.C.Ramesh, learned Special Government Pleader for the respondents.



3. Today, when the matter is taken up for hearing, the learned Special Government Pleader for the respondents, on instructions, would submit that, the seized vehicle has already been produced before the Jurisdictional Criminal Court.

4. In view of the same, the present Writ Petition is not maintainable. The petitioner will have to necessarily approach the Jurisdictional Criminal Court by filing an application under Section 451 of Cr.P.C., for releasing of his seized vehicle. Hence, the petitioner is at liberty to approach the Jurisdictional Criminal Court for seeking release of the seized vehicle by filing appropriate application under Section 451 of Cr.P.C.

5. On receipt of such application, the Jurisdictional Criminal Court shall dispose of the said application, within a period of four weeks, thereafter. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

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 Superintendent of Police,
Dindigul District, Dindigul.
2. The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul District.

+1 CC to the SPL GP (SR-24664[F] dated 09/12/2020)

W.P. (MD)No.16074 of 2020

08.12.2020

SSS (CO)

CS(21.12.2020) 2P 4C