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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 30.09.2021

CORAM

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

Cr1.OP.No.27380 of 2016

[Video Conferencing]

Manoj.M

... Petitioner

Versus

1. The Commissioner of Police,
Greater Chennai City Police,
Veppery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Greater Chennai City Police,
St.Thomas Mount, Chennai.
3. The Assistant Commissioner of Police,
Madippakkam Range,
Greater Chennai City Police, Chennai.
4. The Inspector of Police,
Civil Supplies CID,
Chennai Wing, Patravakkam,
Chennai - 600053.

... Respondents

Prayer : - Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 4th respondent to return or handover the petitioner's INNOVA luxury car bearing Registration No.TN.07 BV 3336 including the Smart Registration Card Original, to the petitioner, it was took from the mother in law of the petitioner's house on 19.09.2013 by the 4th respondent police or produce before the learned Judicial Magistrate Thiruvallur - I.

For Petitioner : Mr.M.Balaji

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor



ORDER

This petition has been filed by A1 seeking a relief to handover the Innova car bearing Registration No.TN 07 BV 3336 which was involved in the transportation of 750 kgs of PDS rice.

2.According to the petitioner, it was taken away from the mother-in-law of the petitioner's house on 19.09.2013 by the 4th respondent police. This fact can be stated before the learned Judicial Magistrate No.I, Thiruvallur and let the learned Magistrate take a decision whether to return the vehicle or not to return the vehicle. Let all the accused in the first place appear before the trial Court. There cannot be a situation where one accused appears and other accused absence and then seek an indulgence of the Court.

3.With the above observation, the present Criminal Original Petition is dismissed, giving liberty to the petitioner to raise all issues before the learned Judicial Magistrate No.I, Thiruvallur.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

smv

To

1. The Commissioner of Police,
Greater Chennai City Police,
Veppery, Chennai - 600 007.
2. The Deputy Commissioner of Police,
Greater Chennai City Police,
St.Thomas Mount, Chennai.
3. The Assistant Commissioner of Police,
Madippakkam Range,
Greater Chennai City Police, Chennai.



4. The Inspector of Police,
Civil Supplies CID,
Chennai Wing, Patravakkam,
Chennai - 600053.

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5. The Public Prosecutor
High Court, Madras.

6. The Judicial Magistrate Court No.I,
Thiruvallur.

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NK(CO)
SU(02/11/2021)