

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CrI.OP.No.7373 of 2021

Chandhiran @ Thangam

...Petitioner/Accused No.2

Versus

The State represented by  
The Inspector of Police,  
Arakkonam Town Police Station,  
Vellore District.  
(Crime No.883 of 2020)

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Police to produce the petitioner vehicle Tata Sumo White Colour bearing Registration No.TN 73 W 6031 before Special Court for E.C. and N.D.P.S. Act Cases at Salem in Crime No.883 of 2020 dated 08.10.2020.

For Petitioner : Mr.D.Dayalan

For Respondent : Mr.C.Raghavan,  
Government Advocate

ORDER

The petitioner who is the accused in Crime No.883 of 2020 for the offences punishable under Sections 20(b)(ii)(B) of N.D.P.S. Act read with Section 8 (c) of N.D.P.S. Act, 1985 has filed this quash petition.

2. The contention of the learned counsel for the petitioner is that the petitioner was arrested along with his vehicle TATA Sumo white colour bearing Registration No.TN 37 W 6031 on 08.10.2020. The learned counsel submitted that his vehicle has so far not been produced before the trial court despite lapse of six months and hence, prays for a direction to the respondent to produce the vehicle before the concerned trial court.

3. The learned Government Advocate appearing for the respondent submits that the petitioner can very well file a petition under Sections 457 and 452 of Cr.P.C. before the trial court seeking to return his vehicle.

4. Considering the fact that the petitioner has got remedy under Sections 457 and 452 of Cr.P.C. to file a petition seeking return of vehicle, this petition is disposed of with a direction to the petitioner to file a petition for return of vehicle before the trial court. The Trial Court to consider the petition and dispose the same on its own merits.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

mbi  
To

- 1.The Inspector of Police,  
Arakkonam Town Police Station,  
Vellore District.
  - 2.The Special Court for E.C. and N.D.P.S. Act Cases,  
Salem.
  - 3.The Public Prosecutor,  
Madras High Court, Chennai.
- +1 CC to Mr.D. Dayalan, Advocate sr 23901.

सत्यमेव जयते Cr1.OP.No.7373 of 2021

PL(CO)  
SP(20/05/2021)

WEB COPY