

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2021

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.16193 of 2020

Prabhakaran,
S/o.Murugesan.

... Petitioner

Vs.

The State rep. by its
The Inspector of Police,
Moolanur Police Station,
Tiruppur District.
(Crime No.149 of 2019)

... Respondent

Prayer: This Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the learned Judicial Magistrate, Dharapuram, Tiruppur District to return the original R.C.Book of the lorry bearing Reg.No.TN-67-AF-1229 to the petitioner forthwith which was seized on 09.05.2019 in connection with Crime No.149 of 2019 and order passed on 20.06.2019 in C.M.P.No.2958 of 2019 on the file of the learned Magistrate, Dharapuram, Tiruppur District.

For Petitioner : Mr.P.Kalimuthu

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed for a direction to the Court below to return the original R.C.Book surrendered by the petitioner while orders were passed in a petition seeking for return of the vehicle.

2. The learned counsel for the petitioner submitted that the original R.C.Book is required in order to enable the petitioner to get the Fitness Certificate for the vehicle from the concerned authority.

3. Heard Mr.P.Kalimuthu, learned counsel appearing on

behalf of the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor, appearing on behalf of the respondent.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for by the petitioner, there shall be a direction to the learned Judicial Magistrate, Dharapuram, to return the original R.C.Book pertaining to the vehicle bearing Reg.No.TN-67-AF-1229, to the petitioner, to enable the petitioner to get the Fitness Certificate for the vehicle. It is made clear that the petitioner shall surrender the original R.C.Book before the Court below immediately after obtaining the Fitness Certificate. The petitioner shall complete the process within a period of three months from the date of receipt of copy of this order.

5. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate,
Dharapuram.

2.The Judicial Magistrate,
Dharapuram.

2.The Public Prosecutor,
High Court, Madras.

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RSI (CO)
RMP (04/02/2021)