

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.1159 of 2020

R.Balasubramanian
S/o.Rengasamy

... Petitioner

Vs.

The State,
Represented by
The Inspector of Police,
Manalmedu Police Station,
Nagapattinam,
Nagapattinam District.
(Crime No.997/2020)

... Respondent

PRAYER: Criminal Revision Petition filed under Sections 397 and 401 of Cr.P.C. to set aside the order passed in Crl.M.P.No.2633 of 2020 on the file of learned District and Sessions Judge, Nagapattinam dated 09.10.2020 consequently to return the case property to the petitioner which was seized by the above respondent police in Cr.No.997 of 2020 Ashok Leyland Lorry bearing Registration No.TN-28-AV-7830.

For Petitioner : Mr.K.Dilli Ganesh

For Respondent : Mr.A.Madhan

Government Advocate (Crl.Side)

O R D E R

The petitioner is involved in Crime No.997 of 2020 for the offence punishable under Sections 379, 420, 430 of I.P.C and 21 (1) of Mines and Mineral Act.

2. During the investigation, the tipper lorry was seized. The petitioner has filed a petition for return of property before the learned District and Sessions Judge, Nagapattinam, in Crl.M.P.No.2633 of 2020. The Sessions Court dismissed the said petition. Aggrieved over the same, the petitioner is before this Court.

3. The petitioner is the owner of the vehicle and the case was registered against the petitioner in Crime No.997 of 2020 for offence under Sections 379, 420, 430 of I.P.C and 21(1) of Mines and Mineral Act and the investigation is pending and charge sheet is yet to be filed. This Court has, time and again passed stringent orders against the theft of sand. Therefore, during the investigation, this Court is not inclined to pass any order in favour of the petitioner regarding the return of property. Therefore, this revision petition is dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

bri
To

1.The District and Sessions Judge,
Nagapattinam.

2.The Inspector of Police,
Manalmedu Police Station,
Nagapattinam,
Nagapattinam District.

+1 CC to Mr.K.Dilli Ganesh, Advocate sr 111.

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KK(CO)
SP(27/01/2021)

सत्यमेव जयते

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