



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.19599 of 2021

R.Ramarajan,
S/o. T.Ramalingam

...Petitioner

Versus

1. The Superintendent of Police,
OCU - CBCID,
Corporation Complex,
Dr.Nanjappa Road,
Coimbatore City.
2. The Deputy Superintendent of
Police, OCU - CBCID,
Coimbatore City.
3. The Inspector of Police,
OCU - CBCID,
OCU, Coimbatore.
(Crime No.1 of 2016)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd and 3rd respondents to entrust the custody of the vehicle viz., Toyota Fortuner bearing its Regn. No.TN-72 AM 0009 shown to have been taken custody while investigating the case in Crime No.1 of 2016 pending on the file of 3rd respondent to the petitioner forthwith.

For Petitioner : Mr.R.Anand

For Respondents: Mr.R.Vinothraja,
Govt. Advocate (Cr1. Side)

ORDER

(This case has been heard through video conference)

The petitioner, who is a proprietor of Jai Harish Finance, filed this petition seeking to entrust the custody of the vehicle viz., Toyota Fortuner bearing Regn. No.TN 72 AM 0009.



2. The learned Government Advocate (Criminal Side) appearing for respondents would submit that the vehicle was not seized by the 2nd respondent police during investigation in crime No.1 of 2016. Now, investigation completed, charge sheet filed and the C.C.No. 980 of 2019 is pending for trial before the Judicial Magistrate No.III, Erode. The vehicle is not a case property.

3. Considering his submissions, finding that vehicle is not a case property in Crime No.1 of 2016, this petition is not maintainable. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent of Police,
OCU - CBCID, Corporation Complex,
Dr.Nanjappa Road, Coimbatore City.
2. The Deputy Superintendent of Police,
OCU - CBCID, Coimbatore City.
3. The Inspector of Police,
OCU - CBCID, Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

Copy To :

The Judicial Magistrate No.III,
Erode.

CRL.O.P.No.19599 of 2021

PMK(CO)
RGA(15/11/2021)