

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2021

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.1259 of 2020

Balachandar

... Petitioner

..VS..

State by

The Inspector of Police,
Anaikkaranchathiram Police Station,
Nagapattinam District.
(Crime No.57 of 2020)

... Respondent

Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, to set aside the order passed in Crl.M.P.No.1624 of 2020 on the file of the learned District and Sessions Judge, Nagapattinam dated 30.06.2020.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.A.Madhan
Government Advocate (Crl.Side)

ORDER

The respondent police registered a case in Cr.No.57 of 2020 against the petitioner for the offence under Sections 379, 430 of IPC and Section 21(1) of Mines and Minerals (Development & Regulation) Act, 1957 and seized the Bullock Cart. The petitioner has filed a petition before the Court below under Section 451 r/w 457 of Cr.P.C. for return of Bullock cart, which was dismissed by the Court below, against which the petitioner is before this Court with the present Criminal Revision Case.

2. According to the learned counsel for the petitioner, the petitioner is the owner of the Bullock Cart and he used the same only for agricultural purpose and not for any illegal transportation of sand as stated by the prosecution. Hence, he seeks return of Bullock Cart.

3.The learned Government Advocate (Crl.Side) appearing for the respondent police would submit that investigation has not yet been completed and charge sheet has also not been filed and hence the vehicle

in question cannot be released at this stage.

4.Heard the learned counsel appearing on either side and perused the materials available on record.

5.It is seen that in the present case, investigation is pending and charge sheet has not yet been filed. This Court time and again gave a direction that stringent action should be taken in the case of theft of sand. Hence, this Court is not inclined to grant the relief sought for by the petitioner in this Criminal Revision Case.

6.Accordingly, this Criminal Revision Case is dismissed.

Index : Yes/No
Speaking Order/Non Speaking Order
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04.01.2021

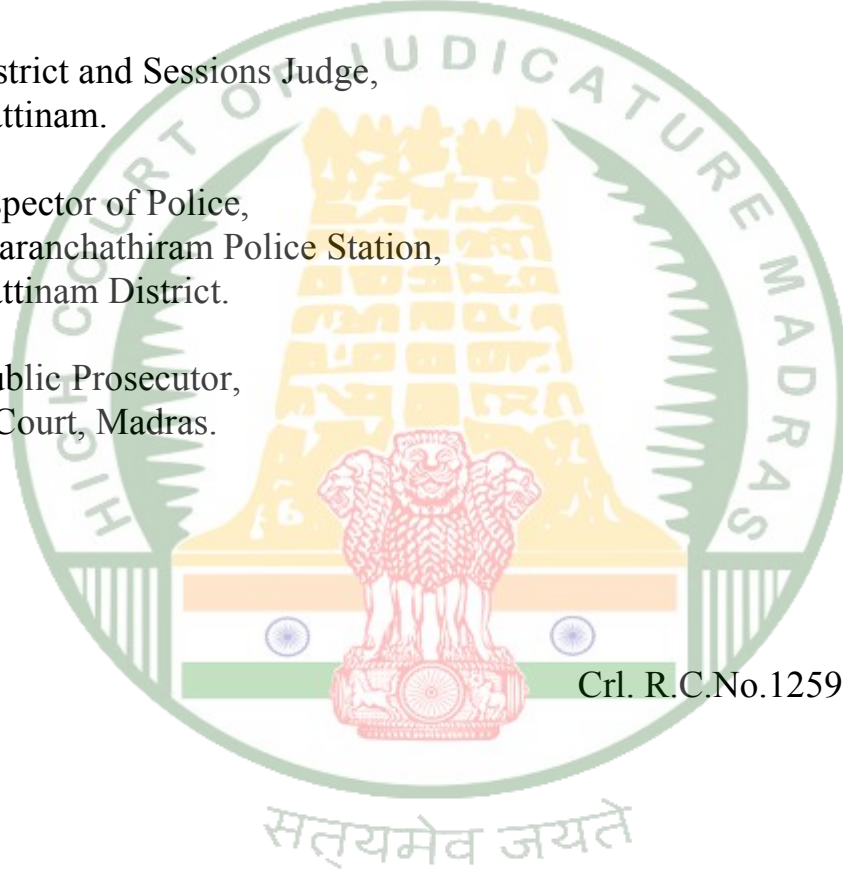
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P.VELMURUGAN, J.

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To

- 1.The District and Sessions Judge,
Nagapattinam.
- 2.The Inspector of Police,
Anaikkaranchathiram Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court, Madras.



Crl. R.C.No.1259 of 2020

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