



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **08.04.2021**

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THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Cr1.R.C(MD)No.297 of 2021

K.Balamurugan

: Petitioner/Petitioner

Vs.

The Sub Inspector of Police,
Amathur Police Station,
Viruthunagar District.
(Crime No.20 of 2021)

: Respondent/Complainant

Prayer : This Criminal Revision has been filed under section 397 r/w 401 of Criminal Procedure Code, to dispense with the production of the original registration book for the vehicle bearing registration No.TN-41-AD-0959 by setting aside one of the condition imposed in Cr.M.P No.782 of 2021, dated 17.03.2021 on the file of the Judicial Magistrate No.II, Virudhunagar.

For Petitioner : Mr.M.Ramu

For Respondent : Mr.A.Robinson

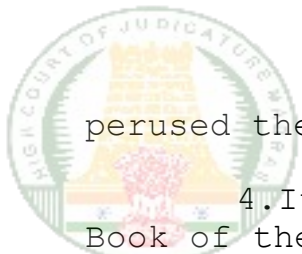
Government Advocate (Criminal side)

O R D E R

This Criminal Revision has been filed to dispense with the production of the original Registration Book for the vehicle TN-41-AD-0959, by setting aside one of the conditions imposed in Cr.M.P No.782 of 2021, dated 17.03.2021 on the file of the Judicial Magistrate No.II, Virudhunagar.

2.The petitioner claims to be the owner of the vehicle TN-41-AD-0959. The respondent police intercepted the alleged vehicle of the petitioner and seized the same in connection with a case in Crime No.20 of 2021 for the offence under sections 120(B), 420, 406 and 511 of IPC. The seized vehicle has been produced before the Judicial Magistrate No.II, Virudhunagar, in RPR No.17 of 2021. The petitioner, being the owner of the seized vehicle approached the Judicial Magistrate No.II, Virudhunagar, by filing a petition in Cr1.MP No.782 of 2021 for return of the vehicle. The learned Magistrate allowed the said petition filed by the petitioner on 17.03.2021, by imposing one of the condition that the petitioner shall produce the original RC Book before the court. Challenging the said condition imposed by the trial Court, the petitioner is before this Court with this criminal revision.

3.Heard the learned counsel appearing on either side and



perused the materials available on record.

4.It is the contention of the petitioner that the original RC Book of the alleged vehicle has already been hypothecated before the TVS Credit Service Limited and hence, he could not produce the same and hence, the said condition imposed by the learned Judicial Magistrate is onerous. It is his further contention that he is ready to produce the certified copy of the RC book at the time of furnishing sureties. For that, he relied upon the unreported decision of this court, dated 05.06.2020 made in Cr1.RC(MD)No.365 of 2020 (Shajahan and another Vs. The Inspector of Police, Sikkal Police Station, Ramanathapuram District and 3 others).

5.In view of that, this Criminal Revision is allowed. The order of the learned Judicial Magistrate No.II, Virudhunagar, made in Cr.M.P.No.782 of 2021, dated 17.03.2021 is set aside in respect of production of the original RC Book alone and it is modified to the effect that the petitioner is directed to produce the certified copy of the RC Book at the time of furnishing sureties. In respect of other conditions, the order of the learned Judicial Magistrate No.II, Virudhunagar shall remain unaltered.

Sd/-

Assistant Registrar (AS)

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/ /2021

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate No.II,
Virudhunagar.

2.The Chief Judicial Magistrate,
Srivilliputhur at Virudhunagar.

3.The Sub Inspector of Police,
Amathur Police Station,
Viruthunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.RAMU, Advocate (SR-15552[F] dated 08/04/2021)

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