



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P.(MD)No.10456 of 2020

V.Subramanian

... Petitioner

Vs.

State,
Rep. by Sub-Inspector of Police,
Kamuthi Police Station,
Crime No.246 of 2020,
Ramanathapuram District.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to permit the petitioner to sell the Bus bearing Registration No.TN-58-X-8209 belonging to the petitioner.

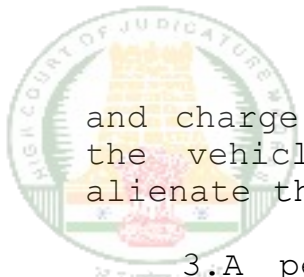
For Petitioner : Mr.K.Suresh

For Respondent : Mr.A.Robinson
Government Advocate (Criminal side)

ORDER

The present petition is filed by the petitioner seeking for permission to sell his Bus bearing Registration No.TN-58-X-8209.

2.Mr.K.Suresh, learned counsel appearing for the petitioner contended that the Sub-Inspector of Police, Kamuthi Police Station, Ramanathapuram District, registered First Information Report in Crime No.246 of 2020 against the accused, Munees Chandhuru S/o. Murugan for the offences punishable under Sections 188, 269 and 270 of the Indian Penal Code, Section 134 of the Tamil Nadu Public Health Act, 1939, Section 3 of the Epidemic Diseases Act, 1897 and Section 51(b) of the Disaster Management Act 2005. His further contention is that the said Muneeschandhuru died on 21.06.2020 as evidenced by the death extract filed by him in the typed set of papers. It is also his contention that the vehicle, which was driven by the accused, was seized by the respondent police. He also drew the attention of this Court to the order, dated 01.06.2020 in Crl.O.P.(MD)No.5609 of 2020, wherein this Court, while ordering the release of the vehicle directed the petitioner to give an undertaking that the vehicle would be produced as and when required. The specific contention of the learned counsel appearing for the petitioner is that since the accused in Crime No.246 of 2020 is dead



and charge is abated, the present petitioner, who is the owner of the vehicle, bearing Registration No.TN-58-X-8209 is unable to alienate the vehicle.

3.A perusal of the Registration Certificate shows that the present petitioner is the owner of the vehicle bearing Registration No.TN-58-X-8209.

4.In the circumstances, the Sub-Inspector of Police, Kamuthi Police Station, Ramanathapuram District is directed to take photograph of the vehicle and file it before the concerned Court and the concerned Judicial Magistrate shall also verify the same and if the police wants to continue with the investigation of the case, they can use the photograph as evidence.

5.With the above observation, the present petition is disposed of. The petitioner is permitted to sell the bus bearing Registration No.TN-58-X-8209.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Sub-Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

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

Crl.O.P. (MD)No.10456 of 2020
23.02.2021

SSS (CO)

TR(29.03.2021) 2P 3C