



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2021

CORAM:

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

Crl.R.C. (MD)No.494 of 2021

WEB COPY

P.Arjunan

... Petitioner

Vs.

State Represented by
The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
(In Crime No.70 of 2021)

... Respondent

PRAYER: This petition filed under Section 397 r/w 401 Criminal Procedure Code, to set aside the impugned condition of the production of Original Registration certificate before the Judicial Magistrate, Manamadurai and consequently allow the Xerox copies of the same vehicle records with the petitioner's affidavit of undertaking ready to forthwith after obtaining duplicate registration certificate from RTO, Sivagangai for tractor with trailer Nos.TN63F4361 and TN63F4375 in order passed in Cr.M.P.No.1312 of 2021, dated 07.07.2021, by the learned Judicial Magistrate, Manamadurai in Cr.No.70 of 2021 on the file of the respondent police station within stipulated time.

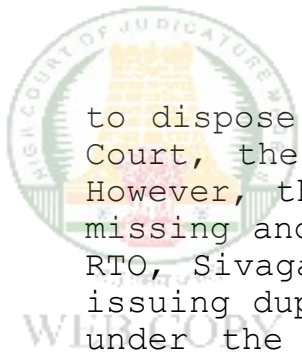
For Petitioner : Mr.R.Senthilkumar

For Respondent : Mr.RMS.Sethuraman
Counsel for the State(Crl.side)

ORDER

This criminal revision petition has been filed to set aside the impugned condition of the production of Original Registration certificate before the Judicial Magistrate, Manamadurai and consequently allow the Xerox copies of the same vehicle records with the petitioner's affidavit of undertaking ready to forthwith after obtaining duplicate registration certificate from RTO, Sivagangai for tractor with trailer Nos.TN63F4361 and TN63F4375 in order passed in Cr.M.P.No.1312 of 2021, dated 07.07.2021, by the learned Judicial Magistrate, Manamadurai.

2.The learned counsel for the petitioner submitted that the petitioner's tractor with trailer bearing registration Nos. TN63F4361 and TN63F4375 were seized in connection with sand theft case in Cr.No.70 of 2021. Thereafter, the petitioner filed a petition in W.P.(MD)No.8154 of 2021 for releasing of his vehicle and the same was ordered on 21.04.2021 directing the learned Magistrate



to dispose of the petition as per law. Based on the order of this Court, the learned Magistrate, allowed the petition on 07.07.2021. However, the original registration certificate of the vehicles were missing and he applied for duplicate registration certificate before RTO, Sivagangai. Production of vehicle before RTO is necessary for issuing duplicate registration certificate. However, the vehicle is under the custody of the Judicial Magistrate Court, Manamadurai. Therefore, the petitioner filed the present petition with the aforesaid prayer.

3.This Court by an order dated 18.08.2021, directed the petitioner to file an undertaking affidavit and the same was also filed.

4.In view of the undertaking affidavit of the petitioner, this Court directs the learned Judicial Magistrate, Manamadurai to return the vehicles to the petitioner. The petitioner shall produce the vehicles before RTO, Sivagangai for obtaining duplicate registration certificate and after obtaining the same, produce the records before the learned Judicial Magistrate, Manamadurai within thirty days from the date of return of the vehicles.

5.Accordingly, this criminal revision petition is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gns

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 Judicial Magistrate,
Manamadurai.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

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

Crl.R.C. (MD) No.494 of 2021
31.08.2021

RK (14.09.2021) 2P 4C

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