



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Appellate Jurisdiction

Wednesday, the Sixth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr.Justice R.PONGIAPPAN

CRL MP(MD) . No.8071 of 2021

in

CRL RC(MD).869 of 2019

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Kalidass
S/o.Lakshmanan,
8/32, Padamathur Road
Thiruppachethy,
Sivagangai District

... Petitioner/Petitioner
Vs

The Inspector of Police
Thiruppachethy Police Station,
Sivagangai District
(In Crime No.102 of 2019)

... Respondent/Respondent

Prayer in CRL MP(MD).8071/2021:-

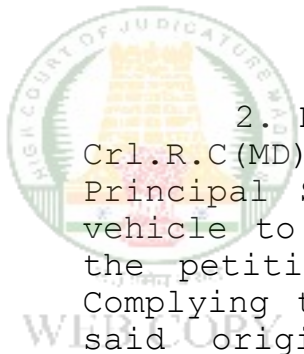
This Criminal Miscellaneous petition is filed U/s 482 of Cr.P.C to pass an order of Interim Direction, directing the Learned Principal Sessions Judge, Sivagangai to return the petitioner's Original RC Book of his Vehicle TATA ACE bearing Registration No.TN 67 AS 8237 for a period of 30 days. So as to enable the Petitioner to renew the Fitness Certificate in connection with Crime No.102/19 on the file of the Respondent Police.

Prayer in CRL RC(MD).869 of 2019:-

This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order dated 06.11.2019 made in Crl.M.P.No.2999 of 2019 passed by the learned Principal Sessions Judge, Sivagangai, and set aside the same consequently direct the learned Principal Sessions Judge, Sivagangai, to release the vehicle TATA ACE bearing Registration No.TN 67 AS 8237 to the petitioner.

ORDER:- This Petition coming upon hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s.D.S.Haroon Rasheed, Advocate for the Petitioner and of Mr.E.Antony Sahaya Prabahar, Additional Public prosecutor for the respondent, this Court made the following order:

This petition has been filed seeking interim direction, directing the learned Principal Sessions Judge, Sivagangai to return the petitioner's Original RC Book of his vehicle TATA ACE bearing Registration No.TN-67-AS-8237 for a period of 30 days, so as to enable the petitioner to renew the fitness certificate to the above said lorry.



2. Previously, this Court, while at the time of disposing the Crl.R.C(MD)No.869 of 2019, dated 19.12.2019, directed the learned Principal Sessions Judge, Sivagangai to return the above referred vehicle to the petitioner for interim custody and further directed the petitioner to deposit the original Registration Certificate. Complying the said condition, the petitioner herein deposited the said original Registration Certificate before the Principal Sessions Judge, Sivagangai. Only in the said situation, the petitioner has filed this application praying to return the original RC book for renewing the fitness certificate. It is apparent that without seeing the original RC book, the transport authorities cannot extend the fitness certificate and therefore, the reasons stated by the petitioner is genuine and acceptable one.

3. Accordingly, this petition is ordered. The learned Principal Sessions Judge, Sivagangai is directed to return the original RC book to the petitioner for a period of 30 days, so as to enable the petitioner to renew the fitness certificate.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TO

1. The Principal Sessions Judge,
Sivagangai.
2. The Inspector of Police
Thiruppachethy Police Station,
Sivagangai District
(In Crime No.102 of 2019)
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.



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CRL MP(MD). No.8071 of 2021

ORDER DATED : 06/10/2021

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ORDER

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CRL MP(MD) . No.8071 of 2021

IN

CRL.RC(MD)No.869/2019

Giving direction and etc.
as stated within.

(CO)
GC(20.10.2021) 3P 5C