



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 04.01.2021

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WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.732 of 2020

Nallathambi

.. Petitioner/Petitioner/Petitioner

Vs.

The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.
(Crime No.116/2019)

.. Respondent/Respondent/Respondent

Prayer : This criminal revision case is filed under Sections 397 and 401 of Cr.P.C., to call for the records relating to the order passed by the learned Principal Sessions Judge, Thoothukudi, in Cr.M.P.No.2643 of 2020, dated 04.11.2020 and to set aside the same.

For Petitioner : Mr.A.Balakrishnan

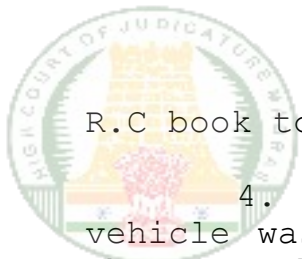
For Respondent : Mrs.S.Bharathi
Government Advocate

ORDER

This Criminal Revision Case has been filed to set aside the order passed by the Principal Sessions Judge, Thoothukudi, in Cr.M.P.No.2643 of 2020, dated 04.11.2020.

2. The vehicle, viz., TATA 407 Tipper Lorry, bearing Registration No.TN-92-D-3165, was seized by the respondent police for sand theft. Interim custody of the vehicle was handed over to the petitioner as per the order in Cr.M.P.No.5731 of 2019. The petitioner filed a petition for return of the R.C. book in Cr.M.P.No.2643 of 2020, before the Special Court and the same was dismissed by the Special Court. Against the same, the petitioner preferred this Criminal Revision Case.

3. On the side of the petitioner, it is stated that the petitioner has already complied the condition imposed by the Special Court. The petitioner has already executed a bond for Rs.1,26,000/- and deposited Rs.50,000/- as cash deposit and the R.C. book was detained by the Court. The petitioner is ready to execute a bond for not alienating the vehicle, and the R.C. book is necessary for production before the inspecting authority and hence, prayed the



R.C book to be returned to the petitioner.

4. On the side of the respondent, it is stated that the vehicle was involved in sand theft. The Original R.C. book is in the custody of the trial Court. If the original R.C. book is returned to the petitioner, there is every possibility of the vehicle being alienated and it will be difficult to trace out the vehicle and if there is any alienation, it will affect the confiscation proceedings to be taken and prayed the petition to be dismissed.

5. This Court has already gave several orders against sand theft. If the R.C. book is returned to the petitioner, there is every possibility of the vehicle being alienated.

6. In the above circumstances, this Court is not inclined to return the R.C. book to the petitioner, at the present stage. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Principal Sessions Judge,
Thoothukudi.

2.The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.

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

Crl. R.C.(MD)No.732 of 2020
04.01.2021

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