



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2021

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD)No. 19540 of 2021

Thilip Jason

... Petitioner/Petitioner

Vs.

1.The Sub Inspector of Police,
South Police Station,
Tuticorin District.
(Crime No.714 of 2019)

... 1st Respondent/1st Respondent

2.Siluvai @ Silvester

... 2nd Respondent/2nd Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the learned Judicial Magistrate Court No.1, Tuticorin to number the petition submitted by the petitioner under Sections 451 and 457 Cr.P.C to return the vehicle bearing Registration No.TN 69 P 6554 (PIAGGIO PASSENGER AUTO) seized by the first respondent police herein in Crime No.714 of 2019 belonging to the second respondent.

For Petitioner : Mr.S.Sarvagan Prabhu

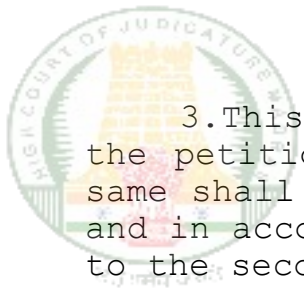
For Respondents : Mr.M.Sakthi Kumar

Government Advocate(Criminal Side) for R.1

ORDER

Heard the learned counsel appearing for the petitioner and the learned Government Advocate(Criminal Side) appearing for the first respondent. Considering the nature of the relief to be granted, issuance of notice to second respondent is dispensed with.

2.The petitioner is said to be a financier. The petition mentioned vehicle was purchased by the second respondent and financed by the petitioner. It was involved in some crime. The petitioner wants the vehicle to be handed over to him by way of interim custody. Hence, he filed the petition before the Court below. It was not numbered by the Court below. Hence, he filed the present Criminal Original Petition.



3.This Criminal Original Petition is disposed of by permitting the petitioner to file a fresh petition for interim custody. The same shall be numbered by the Court below and disposed of on merits and in accordance with law within a period of two weeks after notice to the second respondent herein.

WEB COPY

Sd/-

Assistant Registrar (A.D II)

// True Copy //

16/12/2021

Sub Assistant Registrar(CS-III)

Mga

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 No.1,
Tuticorin.

2.The Sub Inspector of Police,
South Police Station,
Tuticorin District.

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

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-38963[F] dated
15/12/2021)

Cr1.O.P. (MD)No.19540 of 2021
14.12.2021

RS(16.12.2021) 2P-5C