



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)Nos.19343 and 19344 of 2021

Karthick

... Petitioner in both Crl.O.Ps

Vs.

The State rep by
The Sub Inspector of Police,
Vilampatti Police Station,
Dindigul District.
(Crime No.77 of 2021)

... Respondent in both Crl.O.Ps

Common Prayer: Criminal Original Petitions are filed under Section 482 of Cr.P.C., to call for the entire records pertaining to the order passed by the Principal Sessions Judge, Dindigul, Dindigul District in Cr.M.P.Nos.3853 and 3854 of 2021 in Cr.M.P.Nos.1933 and 1934 of 2021 respectively dated 15.11.2021 and set aside the same.

(In both Crl.O.Ps)

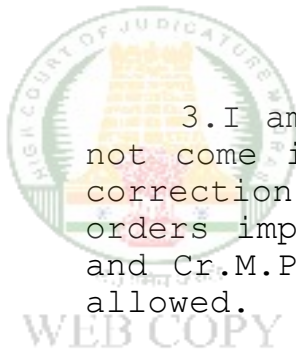
For Petitioner
For Respondent

: Mr.M.Pitchai Muthu
: Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

C O M M O N O R D E R

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

2.The petitioner's vehicle was involved in Crime No.77 of 2021 registered on the file of the respondent. Seeking return of the vehicle, the petitioner filed Cr.M.P.Nos.1933 and 1934 of 2021 before the Principal Sessions Court, Dindigul. The petitions were allowed on 25.10.2021. The petitioner also paid a sum of Rs.50,000/- in terms of the said order on 28.10.2021. Then the petitioner realized that he mentioned the RPR numbers erroneously. Seeking correction of RPR numbers, he filed Cr.M.P.Nos.3853 and 3854 of 2021. The petitions were dismissed with liberty to file a fresh petition. Questioning the same, this criminal original petition has been filed.



3.I am of the view that the bar under Section 362 of CrPC will not come in the way. All that the petitioner is seeking is only correction of clerical error and nothing more. Therefore, the orders impugned in these criminal original petitions are set aside and Cr.M.P.Nos.3853 and 3854 of 2021 filed by the petitioner stand allowed. These criminal original petitions are allowed.

Sd/-

Assistant Registrar (CS I)

// 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 Court,
Dindigul,
Dindigul District.
- 2.The Sub Inspector of Police,
Vilampatti Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ(08.12.2021) 2P 4C