



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction**

Tuesday, the Twenty First day of December Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) .No.11646 of 2021

in

CRL RC(MD)No.100 of 2021

Thiyagarajan

... Petitioner/ Petitioner

Vs

The Inspector of Police
Thanjavur East Police Station
Thanjavur District.
(Cr.No. 81 of 2020)

... Respondent/Respondent

Prayer in CRL MP(MD) .No.11646 of 2021:-

This petition filed under Section 482 of Cr.P.C. to extend the time for comply of the order passed in Crl.RC.No.100 of 2021 dt.5.3.2021.

Prayer in CRL RC(MD)No.100 of 2021:-

This Revision case filed under Sections 397 and 401 of Cr.P.C. To setaside the order passed in Crl.Mp.No.4305 of 2020 on the file of the Special Court under Mines and Minerals (D and R) Act,1957 Thanjavur ,Principal District and Sessions Judge, Thanjavur dt.10.11.2020.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Thiru.P.Arumugam, Advocate for the Petitioner and of Thiru. R.Suresh Kumar, Government Advocate for the respondent, this Court made the following order:

This petition has been filed to extend the time for the petitioner to comply with the conditional order, dated 05.03.2021, in Crl.R.C.(MD)No.100 of 2021.

2.A vehicle, viz., Bolero Pick Up, bearing Registration No.TN-38-AB-1558 was seized by the respondent police in Crime No.81 of 2020. The petitioner, claiming himself as the owner of the vehicle, filed a petition before the Special Court, Thanjavur, for return of



the vehicle in Crl.M.P.No.4305 of 2020. That petition was dismissed by the Sessions Judge. Against that order, the petitioner preferred the Criminal Revision.

3. This Court, in Crl.R.C.(MD)No.100 of 2021, ordered the vehicle to be handed over to the petitioner for interim custody, on certain condition. The petitioner has filed this petition for extension of time to comply the order of this Court.

4. On the side of the petitioner, it is stated that the petitioner met with an accident on 02.02.2021 and he underwent surgery in his right ankle and he was undergoing treatment continuously. He has to undergo another surgery to remove the plate. Due to the physical condition of the petitioner, the petitioner was not in a position to mobilize the fund and he was not able to appear before the Special Court for complying the condition and prayed the time for complying the condition to be extended.

5. On the side of the respondent, it is stated that even after a lapse of 8 ½ months, the petitioner has not complied the condition. The reasons stated by the petitioner are not satisfactory and prayed the petition to be dismissed.

6. It is seen that the petitioner was admitted as inpatient on 02.02.2021 and was discharged on 12.02.2021. Again, the petitioner was taken treatment on 06.03.2021. Keeping the vehicle idle for a long period, will make the vehicle useless. Hence, this Court is inclined to extend the time. The petitioner is directed to comply the condition imposed by this Court, in Crl.R.C.(MD)No.100 of 2021, within a period of four weeks from the date of receipt of a copy of this order.

7. In the above circumstances, this petition is allowed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

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 Special Court under Mines and Minerals
(D and R) Act, 1957 Thanjavur,
Principal District and Sessions Judge,
Thanjavur

2. The Inspector of Police
Thanjavur East Police Station
Thanjavur District.

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

+1CC to Mr. P. Arumugam, Advocate, Sr.no.9671 dated 23/12/2021

ORDER DATED : 21/12/2021

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ORDER

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CRL MP(MD). No.11646 of 2021

in

CRL RC(MD) No.100 of 2021
Giving direction and etc.
as stated within.

PS (CO)

KB (31.12.2021) 3P 5C