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IN THE HIGH COURT OF JUDICIATURE AT MADRAS

DATED: 15.03.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Cr1.R.C.No.195 of 2022

Chinnapillai @ Arthamudiyan

... Revision Petitioner

versus

State represented by
Forest Range Officer,
Gingee Forest Range,
W.L.O.R. No.1 of 2020.

... Respondents

Prayer: Criminal Revision filed under Section 397 r/w.Section 401 of Code of Criminal Procedure, to set aside the order dated 04.03.2020 made in C.M.P.No.162 of 2020 on the file of the Judicial Magistrate Court, Gingee, Villupuram District and to allow the above Criminal Revision petition by returning the licensed gun to the petitioner.

ForPetitioner:Mr.R.MuthuRamanand
for M/s.C.Prabakaran

For Respondent:Mr.Leonard Arul Joseph Selvam
Government Advocate (Cr1. Side)

O R D E R

Being dissatisfied with the order dated 04.03.2020 made in C.M.P.No.162 of 2020 passed by the learned Judicial Magistrate, Gingee, Villupuram District, the petitioner, who is the third party to the case, has preferred this revision for setting aside the impugned order dated 04.03.2020 and prayed for the custody of the Country Gun, which was now in the custody of learned Judicial Magistrate, Gingee.

2. The petitioner is belonging to the Narikuravar Community and he is holding a licensed Country Gun. During the relevant point of time, his relatives, namely, Muthu and Anandhan, without his knowledge and without getting any permission from him, had taken away his licensed Country Gun and hunted the wild birds and therefore, the petition mentioned country gun was



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to the satisfaction of the learned Judicial Magistrate, Gingee, Villupuram District.

ii) The petitioner shall produce the Original License of the Country Gun in question before the learned Judicial Magistrate, Gingee, Villupuram District and file an affidavit of undertaking that he will not dispose the Country Gun and that he will produce the Country Gun before the said Court as and when required by the Trial Court or the Investigating Agency.

iii) The License of the Country Gun shall be retained by the Trial Court till the disposal of the trial or until further orders from this Court.

With the above directions, the Criminal Revision Petition is allowed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

rsi

To

1.The Judicial Magistrate,
Gingee, Villupuram District.

2.-Do- Thro The Chief Judicial Magistrate,
Villupuram.

3.The Forest Range Officer,
Gingee Forest Range,
Villupuram District.

4.The Public Prosecutor,
High Court, Madras.

Copy to
The Section Officer,
Criminal Section, High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate Sr.17350

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srg 11/04/2022