

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.5985 of 2021

Bharathi

... Petitioner

Vs.

1. The Tahsildar,
Hosur,
Krishnagiri District.
2. State represented by its
The Inspector of Police,
Sulagiri Police Station,
Krishnagiri District.

... Respondents

Prayer: This Criminal Original Petition had been filed under Section 482 of Criminal Procedure Code to direct the first respondent to produce the petitioner's vehicle bearing Registration No.TN-77-5005 before the learned Judicial Magistrate -I, Hosur.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.L.Baskaran
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition had been filed to direct the first Respondent to produce the Petitioner's vehicle bearing Registration No.TN-77-5005 before the learned Judicial Magistrate -I, Hosur.

2. The learned Counsel for the Petitioner submitted that the vehicle was seized by the second Respondent for transportation of river sand without any valid licence. For the same, till date the First Information Report has not been registered.

3. The learned Government Advocate (Crl. Side) also files status report stating that the Investigation Officer is requesting the Tahsildar to proceed the case as per the provisions of transportation of river sand under the Mines and Minerals Act so that, he can proceed with the investigation.

4. Considering the submissions of the learned Counsel for the Petitioner and the reply of the learned Government Advocate (Crl. Side), it is found that till date First Information Report has not been registered. Under those circumstances, the first Respondent/Tahsildar is directed to return the vehicle to the Petitioner by following the due process of law regarding the prevention of theft of sand under the Mines and Minerals Act, after obtaining bond for the same from the Petitioner granting interim custody to avoid exposing the vehicle to vagaries of nature.

5. With the above direction, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS VI)

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Sub Assistant Registrar

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To

1. The Judicial Magistrate No.I,
Hosur.
2. The Tahsildar,
Hosur, Krishnagiri District.
3. The Inspector of Police,
Sulagiri Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.5985 of 2021

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NSK/13/07/2022