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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL.R.C.NO.694 OF 2022

M/s. Sri Velmurugan Transport,
represented by its Partner
Naveen Kumar, S/o. Rasu
Office at No.12,
Gandhi Nagar,Kanjikoil,
Perundurai Taluk.

... Petitioner/
Petitioner

Versus

The State represented by
The Sub-Inspector of Police,
CSCID-Erode,
Crime No.171/2021

... Respondent/
Respondent

Prayer:

Criminal Revision Petition filed under Section 397 r/w. 401 of the Code of Criminal Procedure to set aside the order dated 11.05.2022 made in C.M.P.No.3123 of 2022 on the file of the Judicial Magistrate No.III, Erode.

For Petitioner : Mr.M.Guruprasad

For Respondent : R.Vinoth Raja
Govt. Advocate (Crl. Side)

ORDER

This Criminal Revision is filed as against the order of the learned Judicial Magistrate No.III, Erode in C.M.P.No.3123 of 2022, whereby, the prayer of the petitioner for interim custody of the lorry bearing Registration No.TN57 BY 0554, under Section 451 of the Code of Criminal Procedure, was rejected.

2. Today, when the matter came up for admission, the learned Government Advocate(crl. side) would submit that the



matter arises under the Essential Commodities Act and already confiscation proceedings are initiated and pending and in view of Section 6(E) of the Act, there is a specific bar from returning the vehicle pending confiscation proceedings.

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3. In that view of the matter, this Criminal Revision Petition is disposed of on the following terms:-

i) The order of the learned Magistrate, dated 11.05.2022 in C.M.P.No.3123 of 2022 is confirmed.

ii) The respondent shall expedite the confiscation proceedings and shall complete the same in any event within a period of two months from the date of receipt of a copy of this order.

iii) The petitioner is at liberty to work out his remedies in the manner known to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Judicial Magistrate No.III,
Erode
2. The Sub-Inspector of Police,
CSCID-Erode.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.36229

Cr1.R.C.No.694 of 2022

SJ(CO)
PM/22/06/2022