

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.No.19264 of 2021

M.Palani

... Petitioner

Versus

The State Rep.by its
The Inspector of Police
Sholavaram
Thiruvallur District
(Crime No.243/2019)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent to return of the vehicle bearing Registration No.TN-20-BB-2750 model Mahindra and Mahindra Tractor, to the Petitioner in Crime No.243 of 2019 on the file of the Respondent Police under the interim custody of the Petitioner in pending investigation.

For Petitioner :

Mr.N.Suriyamuthu

For Respondent :

Mr.L.Baskaran

Government Advocate (Crl.Side)

ORDER

This petition had been filed to direct the Respondent to return of the vehicle bearing Registration No.TN-20-BB-2750 model Mahindra and Mahindra Tractor, to the Petitioner in Crime No.243 of 2019 on the file of the Respondent Police under the interim custody of the Petitioner.

2. The Petitioner herein had filed this petition seeking return of the vehicle, which was seized by the Respondent Police. It is the contention of the Petitioner that in this case, the Petitioner was granted Anticipatory Bail by the Learned Sessions Judge, Thiruvallur. Subsequently, the Petitioner moved the Sessions Court for interim custody of the

vehicle, which was refused. Hence, he had filed this petition seeking custody of the vehicle.

3. The Learned Government Advocate (Crl.Side) vehemently objects to the arguments of the Learned Counsel for the Petitioner stating that the Tractor bearing Reg.No.TN-20-BB-2750, stands in the name of one Sankarammal. At that time of seizure by the Police, the Registration number of the Tractor was falsely given as TN-20-BB-9751. Therefore, the Learned Government Advocate (Crl.Side) vehemently objected the Petitioner's request seeking interim custody of the vehicle.

4. It is seen that the Petitioner had falsely given the Registration Number of the Tractor, for which he is not the owner. Tractor bearing Reg.No.TN-20-BB-2750, stands in the name of one Sankarammal, which was involved in theft of river sand from Erumaivettipalayam. Since the Petitioner acting with other persons had falsely given the Registration Number of another vehicle and the vehicle was also involved in river sand theft. It is not a fit case for granting interim custody. Hence, this Criminal Original Petition is dismissed.

Sd/-
Deputy Registrar(CS)

//True Copy//

Sub Assistant Registrar

dna

To

1. The Sessions Judge,
Thiruvallur.
2. The Inspector of Police
Sholavaram
Thiruvallur District
(Crime No.243/2019)
3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.19264 of 2021

(CO)
UMA(11/07/2022)