



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.22623 OF 2021

Tamizhkumaran

...Petitioner

Vs.

The State represented by,
The Station House Officer
Panruti Police Station,
Cuddalore District,
Crime No.513 of 2020.
C.P.No.70/2021

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the order of dismissal passed by the Principal District and Session Judge, Cuddalore in Crl.MP.No.1911 of 2021 vide its order dated 26.07.2021 and subsequently directing the Judicial Magistrate No.I, Panruti, to return the vehicle Ashok Leyland Comot Tipper Lorry, bearing Reg.No.TN 31 AD 6682 to the petitioner/owner of the vehicle.

For Petitioner : Mr.M.Velmurugan

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

O R D E R

This Criminal Original Petition has been filed to set aside the order passed by the Principal District and Session Judge, Cuddalore in CMP.No.1911 of 2021 dated 26.07.2021 and subsequently directing the Judicial Magistrate No.I, Panruti, to return the vehicle to the petitioner.

2. The Trial Court dismissed the petition for return of the property, on the ground that the petitioner is one of the accused. However, the petitioner neither surrender before the respondent police nor obtained any anticipatory bail. He is still absconding and investigation is pending in Crime No.513 of 2020. Even till date, the petitioner is not surrender before the respondent police or obtained any anticipatory bail.



Therefore, this Court does not find any infirmity or illegality by the trial Court to dismiss the petition. Accordingly, this Criminal Original Petition is dismissed. However, the petitioner, after his surrender, is at liberty to file a fresh petition before the Trial Court for return of the property or obtain any anticipatory bail.

Sd/-
Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

drl

To

- 1.The Judicial Magistrate No.I,
Panruti.
- 2.The Station House Officer
Panruti Police Station,
Cuddalore District,
- 3.The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.22623 of 2021

PMK(CO)
RVM(23/06/2022)