



Crl.O.P.No.24127 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.O.P.No.24127 of 2022

G.Stella Manickavally

... Petitioner

/vs/

1.State Rep by
The Deputy Superintendent of Police,
(Prohibition) Erode District,
Erode.

2.The Inspector of Police,
Bangalapudhur Police Station,
(Crime No.215 of 2021)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to direct the respondents to produce the records pertaining to the order of confiscation issued by the first respondent dated 12.08.2021 in Na.Ka.No.528/Thu.Kaa.Ma.V/Ee/2021 before the honourable District and Sessions Court, Erode and direct the Hon'ble District and Sessions Judge to pass orders on C.A.No.106 of 2021 filed by the petitioner within a stipulated time frame.

For Petitioner

... Mr.P.Premkumar

For Respondents

... Mr.E.Raj Thilak,
Additional Public Prosecutor



CrI.O.P.No.24127 of 2022

ORDER

This Criminal Original Petition has been filed to direct the respondents to produce the records pertaining to the order of confiscation issued by the first respondent dated 12.08.2021 in Na.Ka.No.528/Thu.Kaa.Ma.V/Ee/2021 before the District and Sessions Court, Erode and direct the learned District and Sessions Judge to pass orders on C.A.No.106 of 2021 filed by the petitioner within a stipulated time frame.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

3. The petitioner is the third party who is the owner of the vehicle involved in Crime No.215 of 2021 on the file of the second respondent police for the offence under Section 4(1)(a) of TNP Act; the vehicle bearing Registration No.TN 72 BV 5544 Skoda Kodiaq vehicle was seized by the second respondent in Crime No.215 of 2021 of Bangalapudhur Police Station for being used in a prohibition offence; subsequently, the first respondent has passed an order confiscating the vehicle under Section 14(4) of TNP Act; aggrieved over that, the petitioner has filed an appeal



CrI.O.P.No.24127 of 2022

under Section 14(5) before the learned District and Sessions Judge, Erode;
the appeal has been filed in the year 2021 and so far, it was not yet
disposed; the petitioner is before this Court.

4. It is seen from the docket orders of the Court that the case is repeatedly posted for awaiting records. Unless the first respondent sends the record, it may not be possible for the Court to take up the Appeal and dispose the same. Hence I feel it is appropriate to direct the first respondent to send the records to the District and Session Court, Erode within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the learned District and Sessions Judge, Erode, shall endeavor to dispose the appeal within a period of four weeks thereafter.

5. With the above observations, this Criminal Original Petition is disposed.

Index: Yes/No
Internet: Yes/No
gsk

07.11.2022

R.N.MANJULA ,J.

gsk

To



Crl.O.P.No.24127 of 2022

1.The Deputy Superintendent of Police,
(Prohibition) Erode District,
Erode.

2.The Inspector of Police,
Bangalapudhur Police Station,

3.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.24127 of 2022

07.11.2022