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Crl.R.C.No.1549 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.R.C.No.1549 of 2022

RDS Traders,
represented by its Proprietor,
A.Deva , S/o. Arumugam,
aged about 26 years,
No.42, Ilupakkam Colony,
Medhur Post, Ponneri,
Thiruvallur District.

... Petitioner

Vs.

State Rep. by
The Sub-Inspector of Police,
Pathirivedu Police Station,
Thiruvallur District,
(Cr.No.106 of 2022)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 397 r/w.401 of Cr.P.C. to set-aside the order dated 14.10.2022 made in Crl.M.P.No.3335 of 2022 on the file of the Principal District and Sessions Judge at Thiruvallur dismissing the petition to return the vehicle of lorry bearing Registration No.TN-18-AW-5816 to the petitioner.

For Petitioner

: Mr.R. Sasikumar



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For Respondent : Mr.V. Meganathan
Gov. Advocate (Crl.Side)

ORDER

Challenging the order of dismissal, passed by the Principal District and Sessions Judge, Tiruvallur in Crl.M.P.No.3335 of 2022, dated 14.10.2022 to return the vehicle, the present Criminal Revision Petition has been filed.

2. The respondent police registered a case in Crime No.106 of 2022 for the offences under Sections 379, 430 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act.

3. The petitioner, who is claiming as an owner of the lorry bearing registration No. TN 18-AW-5816, filed an application for return of vehicle and the trial Court dismissed the application holding that no document has been filed by the petitioner to prove his proprietorship in the above company. Challenging the same, the present revision petition has been filed.

5. The learned counsel appearing for the petitioner submits that the



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petitioner is proprietor of the RDS Traders and he is having sufficient document to prove that he is the proprietor of the petitioner's company M/s.RDS Traders.

6. Heard the learned Government Advocate(Crl. side) appearing for the respondent.

7. On perusal of the impugned order, it is seen that the offending lorry bearing Registration No. TN 18 AW 5816 stands in the name of M/s.RDS Traders. But, the petitioner has not filed relevant document to show that he is the proprietor of M/s.RDS Traders. There is no infirmity in the order passed by the trial Court. I find no merit in this revision and hence, this Court is not inclined to dismiss this Revision.

7. Accordingly, the Criminal Revision Petition is dismissed with liberty to the petitioner to file a fresh application along with the relevant document before the Trial Court. On filing such application, the Trial Court is directed to consider the same and pass orders on merits and in accordance with law within a period of two weeks .

12.12.2022



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mrp

To

1. The Sessions Judge, Mahila Court (Fast Track Court), Villupuram
2. The Central Prison, Cuddalore .
3. The Inspector of Police,
All Women Police Station,
Ulundurpet,
Villupuram District.
4. The Public Prosecutor,
High Court of Madras, Chennai.



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V.SIVAGNANAM, J.,

mrp

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