



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.106 of 2022

WEB COPY

The Excellent Mineral Works,
Represented by its Proprietor G.Leelavathi,
W/o.Gopalakrishnan,
No.57, Gandhipuram,
Senkundarpuram Post,
Karur Town.

...Petitioner/Petitioner

Vs.

The State represented by
The Inspector of Police,
Thanthonimalai Police Station,
Karur District.
(Crime No.455 of 2021)

...Respondent/Respondent

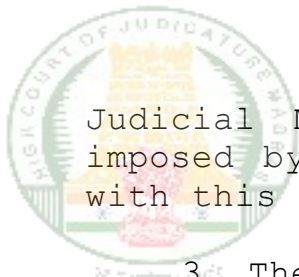
PRAYER: Criminal Revision Case is filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records relating to the order passed in Crl.M.P.No.1304 of 2021 on the file of the Principal District Court, Karur, dated 02.11.2021 and set aside the same and allow the above revision case.

For Petitioner : Mr.R.Murali
For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)

ORDER

This petition has been filed to modify the condition to surrender the original R.C.Book before the learned Judicial Magistrate No.I, Karur in the order passed in Cr.M.P.No.1304 of 2021, dated 02.11.2021.

2.The petitioner claims to be the owner of the Tipper bearing Registration No.TN-47-V-2522. On 10.06.2021, the respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand without any valid permit and registered a case in Crime No.455 of 2021 under Section 379 IPC r/w Section 21(1) (1) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Principal District Judge, Karur, by way of filing a petition in Cr.M.P.No.1304 of 2021 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 02.11.2021, by imposing the 1st condition to the effect that the petitioner was directed to produce the original R.C.Book before the learned



Judicial Magistrate No.I, Karur. Challenging the 1st condition imposed by the trial Court, the petitioner is before this Court with this criminal revision.

3. The learned counsel appearing for the petitioner submitted that the vehicle bearing Registration No.TN-47-V-2522 was purchased through the finance and the original R.C.book is in custody of the finance company and hence, the petitioner could not able to produce the original R.C.book.

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. The only grievance of the petitioner is that the 1st condition imposed by the learned Principal Sessions Judge, Karur, is onerous.

6. Considering the above, this Criminal Revision Case is allowed. The order of the learned Principal District Court, Karur, made in Cr.M.P.No.1304 of 2021, dated 02.11.2021 is modified in respect of the producing original RC book alone and it is modified to the effect that the petitioner is directed to produce the certified copy of the RC Book before the learned Judicial Magistrate No.I, Karur. In respect of other conditions, the order of the learned Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar (AS)

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/ /2022

Sub Assistant Registrar(CS)

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To

1. The Principal District and Sessions Judge,
Karur District, Karur.
 2. The Judicial Magistrate No.1, Karur.
 3. The Inspector of Police,
Thanthonimalai Police Station, Karur District.
 4. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.R.MURALI, Advocate (SR-5618[F] dated 11/02/2022)

Crl.R.C(MD)No.106 of 2022

10.02.2022