



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.237 of 2022

V.Subbaiah

... Petitioner

Vs.

1. The District Collector,
Dindigul.
2. The Revenue Divisional Officer,
Dindigul.
3. The Tahsildar,
Natham Taluk.
4. The Assistant Director,
Department of Geology and Mining,
Dindigul.
5. The State of Tamil Nadu,
represented by the
Inspector of Police,
Natham Police Station,
(Crime No.703 of 2020)

...Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the impugned order passed in Crl.M.P No.1077 of 2021 dated 23.03.2021 passed by the Principal Sessions Judge, Dindigul and relax the condition of depositing the RC books of vehicle bearing registration number No.TN 57 Q 6907 and Trailer bearing registration No. TN 57 Q 6905 before the District Munsif cum Judicial Magistrate, Natham and allow this revision petition.

For Petitioner : Mr.V.Sukumar

For Respondents : Mr.M.Aasha

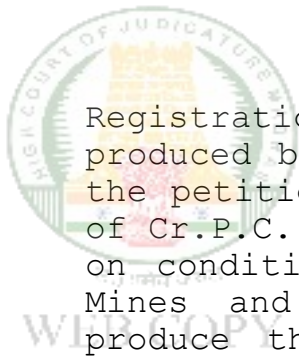
Government Advocate (Criminal Side)

ORDER

The criminal revision petition has been filed to set aside the order passed by the learned Principal Sessions Judge, Dindigul in Crl.M.P.No.1077 of 2021, dated 23.03.2021.

2.The petitioner is an accused in Crime No.703 of 2020, registered under Section 379 of IPC. In pursuant to the said crime, his vehicle bearing Registration No.TN 57 Q 6907 and Trailer bearing

<https://hcservices.ecourts.gov.in/hcservices/>



Registration No.TN 57 Q 6905 seized by the respondent police and produced before the trial Court. Thereafter, the petitioner filed the petition in Crl.M.P.No.1238 of 2020, under Sections 457 and 451 of Cr.P.C. to return the vehicles. The Court below allowed the same on condition to deposit a sum of Rs.20,000/- before the District Mines and Minerals Foundation Trust, Dindigul and directed to produce the original R.C Book of the said vehicles before the District Munisif cum Judicial Magistrate, Natham. The petitioner could not able to produce the original R.C Book before the concerned Judicial Magistrate since the original R.C Books had already been deposited before the same Court in connection with the Crime No.115 of 2016, on the file of the respondent police. Therefore, the petitioner filed a petition in Crl.M.P.No.1077 of 2021 to relax the condition imposed by the Court below.

3.Admittedly, the petitioner had earlier involved in crime No.115 of 2016, on the file of the respondent police and both the vehicles were seized by the respondent police. In pursuant to the same, the petitioner filed the petition for return of the vehicles and the same was allowed on condition that the petitioner shall deposit the original R.C Book. Accordingly, he deposited the R.C Book and suppressed the said fact, filed the present petition for return of vehicle.

4.When the petitioner's vehicles were already involved in a similar offence, after return of the vehicle, the petitioner again involved in the very same offence by using the same vehicles. Therefore, the Court below has rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed in Crl.M.P.No.1077 of 2021. Accordingly, the criminal revision case is dismissed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Principal Sessions Judge, Dindigul.



2.The District Munsif cum Judicial Magistrate, Natham.

3. The District Collector,
Dindigul.

4. The Revenue Divisional Officer,
Dindigul.

5. The Tahsildar,
Natham Taluk.

6. The Assistant Director,
Department of Geology and Mining,
Dindigul.

7. The Inspector of Police,
Natham Police Station.

8. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.V.SUMUMAR, Advocate (SR-11250[F] dated 10/03/2022)

Cr1.R.C. (MD)No.237 of 2022
09.03.2022

_RD(23.03.2022) 3P 10C