



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.238 of 2022

Muthuraman

... Petitioner/Petitioner/
Third Party/Owner of the
Ashok Layland Tipper
Lorry bearing Reg.No.
TN 99 H 9086

Vs.

The Inspector of Police,
Metalur Police Station,
Thanjavur District.
(Crime No.349 of 2021)

...Respondent/Respondent

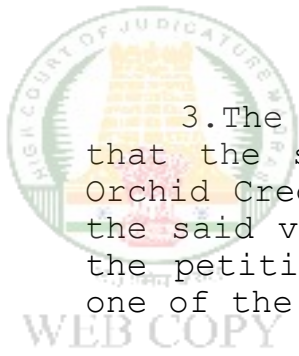
Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records and set aside and to modify the order dated 23.12.2021 made in Crl.M.P No.3831 of 2021 before the learned Principal Sessions Judge cum Special Court under the Mines and Minerals (Development & Regulation) Act, 1957, Thanjavur, Thanjavur District in so far as in 12th para condition No.1 and 4 are concerned.

For Petitioner : Mr.S.Sathyachidambaram
For Respondents : Mr.M.Aasha
Government Advocate (Criminal Side)

ORDER

The petition has been filed to set aside and modify the order passed by the learned Principal Sessions Judge cum Special Court under the Mines and Minerals (Development & Regulation) Act 1957, Thanjavur, in Crl.M.PNo.3831 of 2021, dated 23.12.2021, thereby, imposed a condition to produce the original RC Book of the petitioner's vehicle.

2.The petitioner is the owner of the vehicle namely, Ashok Leyland Tipper Lorry bearing registration No.TN-99-H-9086 involved in Crime No.349 of 2021 registered for the offence under Section 379 of IPC and Section 21 (4) of the Mines and Minerals Act, 1957, on the file of the respondent police. Therefore, the said vehicle bearing Registration No.TN 99 H 9086 has been seized and produced before the Court below. Hence the petitioner has filed a petition for return of his vehicle and the same was allowed on condition that the petition shall deposit a sum of Rs.50,000/-, which is non-refundable, to the credit of the Patient Welfare Society, Thanjavur Medical College Hospital, Thanjavur, by means of demand draft. Further, a condition was imposed that the petitioner shall produce the original R.C Book of the said vehicle before the Court below.



3.The learned Counsel appearing for the petitioner would submit that the said vehicle was purchased through a financier, namely, Orchid Credit Private Limited and as such, the original R.C Book of the said vehicle was already deposited before the financier so that the petitioner could not able to produce the original R.C Book as one of the conditions imposed by the Court below.

4.Considering the above, the petitioner is directed to produce the attested xerox copy of the R.C Book instead of the original R.C Book. Except the said modification, rest of the conditions remain unaltered. Accordingly, the criminal revision case is partly allowed.

Sd/-

Assistant Registrar (AE)

// 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 cum Special Court
under the Mines and Minerals
(Development & Regulation) Act, 1957,
Thanjavur, Thanjavur District.
2. The Inspector of Police,
Metalur Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

Crl.R.C.(MD)No.238 of 2022

09.03.2022

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