



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.239 of 2022

WEB COPY

Saravana Manikandan

...Petitioner/
Owner of the Vehicle

Vs.

1.The State,

Rep. by the Sub Inspector of Police,
Vachakarappati Police Station,
Virudhunagar
(Crime No.121 of 2021)

...Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside the order dated 13.10.2021 made in C.R.M.P.No.4190 of 2021 on the file of the learned Judicial magistrate No.I at Virudhunagar to return vehicle or any other appropriate order or direction in the nature of the petition, directing the respondents to release the Ashok Leyland Dosth Vehicle bearing Registration No. TN 67 BH 4507 to the petitioner.

For Petitioner : Mr.Sivakumar Rajappan
For R1 : Mr.M.Aasha
Government Advocate (Crl.Side)

ORDER

The petition has been filed to set aside the order passed by the learned Judicial Magistrate No.I, Virudhunagar, in Cr.M.P.No.4190 of 2021, dated 13.10.2021, thereby dismissed the petition to return the Ashok Leyland Dosth vehicle bearing Registration No.TN 67 BH 4507.

2.The petitioner is an accused and he involved in the case registered in Crime.No.121 of 2021 for the offence under Section 328 of IPC r/w sections 6(b) and 24(1) of Cigarette and other Tobacco Products Act, 2003. The vehicle which was used in the said crime, which has been seized by the respondent police and produced before the Court below. Thereafter, the petitioner has filed a petition under Section 451 of Cr.P.C for return of his vehicle and it was dismissed for the reason that the petitioner already involved in two previous cases, which are similar in nature and particularly, the same vehicle was used for those crimes. In the previous cases, the vehicle was returned by the Court below on condition that the petitioner shall deposit the original R.C Book. Accordingly, the petitioner has deposited the original R.C Book and again involved in similar offences.



3. Therefore, the Court below has rightly dismissed the petition and this Court finds no infirmity and illegality in the order passed in Cr.M.P.No.4190 of 2021. Accordingly, the criminal revision case is dismissed.

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Sd/-

Assistant Registrar (AS)

// 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 Judicial Magistrate No.I,
Virudhunagar.
- 2.The Sub Inspector of Police,
Vachakarappati Police Station,
Virudhunagar
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.R.C.(MD)No.239 of 2022
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