



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2022

CORAM:

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.R.C. (MD)No.280 of 2022

Thangapandi

... Petitioner/ Petitioner

Vs.

1.The District Collector,
Dindigul District.

2. The Revenue Divisional Officer,
Dindigul, Dindigul District.

3. The Assistant Director of Geology and Mining,
Dindigul,
Dindigul District.

4. The Tahsildar,
Aathur Taluk,
Dindigul District.

5. The Inspector of Police,
Sempatti Police Station,
Dindigul District.
(Crime No.753 of 2021)

...Respondents/Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the order passed in Crl.MP.No.4251/2021 by the Principal Sessions Judge, Dindigul dated 14.02.2022 and order interim custody of the Tractor bearing Registration No.TN-55-P-9023 along with its unnumbered Trailer with the petitioner as sought for, which was seized by the 5th respondent on 19.11.2021.

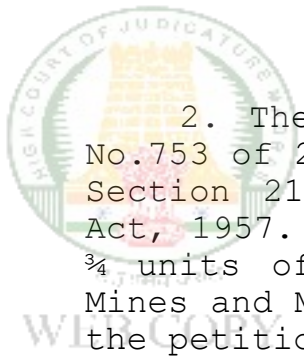
For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.M.Aasha

Government Advocate (Criminal Side)

O R D E R

This Criminal Revision Case has been filed to set aside the condition passed in Crl.M.P.No.4251 of 2021 by the Principal Sessions Judge, Dindigul. Dated 14.02.2022 and thereby, dismissing the petition for return of vehicle bearing Registration No.TN-55-B-9023.



2. The petitioner is the sole accused. He involved in Crime No.753 of 2021 registered for the offences under Section 379 IPC and Section 21(5) of Mines and Minerals (Development and Regulation) Act, 1957. Pursuant to the said crime, the vehicle was seized with $\frac{3}{4}$ units of river sand and produced before the Special Court for Mines and Minerals Act. Pending investigation, the petitioner filed the petition for return of his vehicle under Section 457 Cr.P.C.

3. The case of the prosecution is that the vehicle is a Tractor bearing Registration No.TN-55-P-9023 along with unnumbered Trailer which were produced by the petitioner from one, Sebastian for the sale consideration of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) and he has also executed transfer of ownership form in the RC. Even without transfer of ownership, the petitioner involved in the offence along with his vehicle and it is now, seized and produced before the concerned Court.

4. The learned Government Advocate (Criminal Side) submitted that already the petitioner involved in some kind of offence in Crime No.225 of 2021 on the file of the fifth respondent and the vehicle was seized and produced by him in RPR No.52 of 2021 before the learned District Munsif-cum-Judicial Magistrate No.2. The petitioner filed an application for return of his vehicle in Crl.M.P.No.2099 of 2021 and the same was allowed and the interim custody of the said vehicle was given imposing certain conditions. However, the petitioner violated this condition and again involved in similar type of offences and the same has been registered in present Crime No.751 of 2021 without even transfer of ownership in his name.

5. Therefore, the Court below rightly dismissed the petition. This Court finds no infirmity or illegality in the order passed by the Court below. The Criminal Revision Case is dismissed, accordingly.

Sd/-

Assistant Registrar (AD-II)

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/ /2022

Sub Assistant Registrar(CS)

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To:-

1. The Principal Sessions Judge,
Dindigul.

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



2.The District Collector,
Dindigul District.

3. The Revenue Divisional Officer,
Dindigul, Dindigul District.

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4. The Assistant Director of Geology and Mining,
Dindigul,
Dindigul District.

5. The Tahsildar,
Aathur Taluk,
Dindigul District.

6. The Inspector of Police,
Sempatti Police Station,
Dindigul District.

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

Crl.R.C.(MD)No.280 of 2022
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RD(04/05/2022) 3P 8C