



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.5179 of 2022

Balamurugan

...Petitioner

Vs.

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

2. The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.
(Crime No.398/2021)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 2nd Respondent to produce the Petitioner's tipper lorry bearing Registration No. TN 69 BC 6296 before the Judicial Magistrate No.III, Thoothukudi, which was seized by the 2nd Respondent on 15.12.2021 in connection with the Cr.No.398/2021.

For Petitioner : Mr.S.Vishnuvardhan

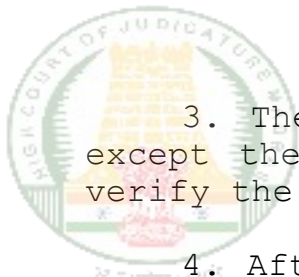
For Respondents : Mr.R.M.Anbunithi
No.1 & 2 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the 2nd Respondent to produce the Petitioner's tipper lorry bearing Registration No. TN 69 BC 6296 before the Judicial Magistrate No.III, Thoothukudi, which was seized by the 2nd Respondent on 15.12.2021 in connection with the Cr.No.398/2021.

The case of the prosecution is that on 15.12.2021 the respondent police intercepted the lorry bearing Reg. No. TN 69 BC 6296 and found that the third accused is transporting river sand weighing three units. In pursuance to the same, the lorry was seized by the second respondent and the said lorry stands in the name of the second accused.

2.The learned counsel for the petitioner would submit that even after the seizure of the said vehicle the second respondent did not produce the said lorry before the concerned jurisdictional magistrate even till today.



3. The learned Additional Public Prosecutor would submit that except the lorry there is no other document has been produced to verify the engine number and chasis number and it is pending.

4. After the seizure of the lorry, the second respondent ought to have produced it before the concerned jurisdictional magistrate without any RC book.

5. Inview of the above, the second respondent is directed to produce the lorry bearing Reg. No. TN 69 BC 6296 before the concerned jurisdictional magistrate namely the learned Judicial Magistrate No.III, Thoothukudi in Crime No. 398 of 2021 forthwith. Thereafter the petitioner is at liberty to approach the Court below in the manner known to law.

6. With the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

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To

1.The Judicial Magistrate No.III, Thoothukudi.

2. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

3. The Inspector of Police,
Pudukkottai Police Station,
Thoothukudi District.

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

Crl.O.P. (MD) No.5179 of 2022
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