



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

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

Crl.R.C.(MD)No.312 of 2022

G.Nagarasu

... Petitioner

Vs

State through,
The Sub-Inspector of Police,
Chinthamanipatti Police Station,
Karur District.

... Respondent

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C., to call for the records relating to the order passed by the learned the Sessions Judge Karur in Crl.M.P.No.526/2022 dated 10.03.2022 as a set aside and release the petitioner's vehicle Swaraj Punjab Tractor bearing registration No.TN-46-D-1581 for interim custody.

For Petitioner	: Mr.S.Rameshkumar
For Respondent	: Mrs.M.Aasha, Government Advocate (Criminal Side).

O R D E R

This Criminal Revision Case has been filed challenging the impugned order passed by the learned the Sessions Judge, Karur in Crl.M.P.No.526/2022 dated 10.03.2022, thereby, dismissing the petition for return of property.

2.The petitioner owned Swaraj Tractor bearing registration No.TN 46 D 1581. The petitioner's vehicle was already involved in Crime No.286 of 2021, on the file of the respondent for the offence under Section 21(4) of Mines and Minerals (Development and Regulation) Act. Therefore, the said vehicle was already seized and produced before the concerned Court. Thereafter, on the petition filed by the petitioner, the alleged vehicle was returned to him, on the condition that the vehicle shall not be used for similar offence in future. In fact, at the time of return of vehicle, the petitioner also surrendered his original RC book to the credit of Crime No.286 of 2021.

3.Immediately, after receiving the vehicle again, the same vehicle was involved in another case, registered in Crime No.24 of 2022, for the very same offence punishable under Section 21(4) of Mines and Minerals (Development and Regulation) Act and Section 379 IPC. In pursuant to the said crime, the alleged vehicle has been seized by the respondent and the petitioner filed petition for



return of vehicle. The same was dismissed by the Court below, for the reason that the alleged vehicle was involved in the very same offence, even when the original RC book was surrendered before the Court below.

4.Hence, the Court below rightly dismissed the petition, filed by the petitioner. This Court finds no infirmity or illegality in the order passed by the Court below.

5.Accordingly, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Sessions Judge, Karur.

2.The Sub-Inspector of Police,
Chinthamanipatti Police Station,
Karur District

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

CrI.R.C. (MD) No.312 of 2022
25.03.2022

SJ(CO)
KB(05.04.2022) 2P 4C