



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.370 of 2022

WEB COPY

Lawrance @ Joseph Lawarance ...Petitioner/Petitioner

Vs.

State rep. by

The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari District.

...Respondents/Respondents

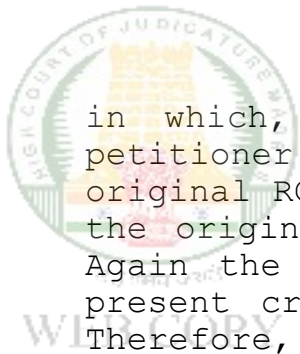
Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records and set aside the order passed in Crl.M.P.No.1157 of 2022 on the file of the Principal Sessions Judge, Kanyakumari District at Nagercoil, dated 05.03.2022.

For Petitioner	: Mr.M.Balamohan Thampi
For Respondents	: Ms.M.Aasha
	Government Advocate (Crl.side)

O R D E R

This petition has been filed to set aside the order passed in Crl.M.P.No.1157 of 2022 on the file of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil, dated 05.03.2022.

2.The petitioner has involved in Cr.No.380 of 2021 on the file of the respondent police registered for the offence under Section 379 of IPC. The petitioner was arrested and remanded to judicial custody and subsequently released on bail. The petitioner is the owner of a JCB vehicle bearing Registration No.TN-75-W-3935 and the said vehicle was also involved in this crime. Therefore, the said vehicle was seized and the same was produced before the learned Judicial Magistrate No.2, Padmanabhapuram. While pending investigation, the petitioner has filed a petition under Section 451 of Cr.P.C., to return the vehicle, which was ordered in Crl.M.P.No.4732 of 2021, dated 08.11.2021 by the learned Principal Sessions Judge, Kanyakumari District on condition that the petitioner should produce the original R.C.Book and photograph of the vehicle before the Judicial Magistrate Court No.II, Padmanabhapuram. However the petitioner could not able to produce the same since the petitioner's vehicle already involved in similar kind of offence in Cr.No.277 of 2019 on the file of the respondent,



in which, the petitioner's vehicle seized and returned to the petitioner on condition that the petitioner shall produce the original RC book before the Court below. Accordingly he surrendered the original RC book, the vehicle was returned to the petitioner. Again the petitioner along with the said vehicle involved in the present crime and the vehicle has been seized by the respondent. Therefore, the petitioner has filed a petition in Crl.M.P.No.1157 of 2022 to modify the condition imposed in Crl.M.P.No.4732 of 2021, dated 08.11.2021.

3.The Court below by order dated 05.03.2022 dismissed the modification petition for the reason that the petitioner's vehicle has involved in the earlier case in Cr.No.277 of 2019, in which, the original R.C.Book was surrendered before the Court below. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below.

4.In view of the above, Criminal Revision Petition is dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To:

- 1.The Principal Sessions Judge,
Kanyakumari District at Nagercoil.
- 2.The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari 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.370 of 2022
13.04.2022

RD(19.05.2022) 2P 6C

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