



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM:

WEB COPY

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

Crl.R.C. (MD)No.573 of 2021

Deepa

... Petitioner

Vs.

Represented by its
Sub Inspector of Police,
Cumbum West Forest Range,
Theni District.
(WLOR.No.01 of 2021)

... Respondents

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C. to allow this Criminal Revision and call for records relating to order passed by learned Judicial Magistrate, Uthamapalayam in Cr.M.P.No.2004 of 2021 dated 09.07.2021 and set aside the same.

For Petitioner: Mr.S.Sundarapandian

For Respondent : Mrs.M.Aasha
Government Advocate (Criminal Side)

O R D E R

This Criminal Revision Case has been filed challenging the order passed by learned Judicial Magistrate, Uthamapalayam in Cr.M.P.No.2004 of 2021 dated 09.07.2021, thereby, dismissing the petition for return of vehicle of the petitioner.

2.The petitioner owned a TATA ACE vehicle, bearing registration No.TN 50 X 7047. The said vehicle used by her husband, involved in an offence in WLOR.No.01 of 2021, registered for the offences punishable under Sections 2, 9, 39, 49(b), 50, 51 of Indian Wild Life (Protection) Act.

3.In pursuant to the said crime, the vehicle was seized by the respondent police and deposited in the Court. While pending investigation, the petitioner being the owner of the vehicle filed petition for return of vehicle and the same was dismissed.



4.The learned Additional Public Prosecutor would submit that already confiscation proceedings has been initiated against the vehicle and the same has been confiscated. Therefore, the Court below rightly dismissed the petition for return of vehicle. This Court finds no infirmity or illegality in the order passed by the Court below.

5.In view of the above, this Criminal Revision Case is dismissed. However, the petitioner is at liberty to challenge the confiscation proceedings in the manner known to law.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar

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,
Uthamapalayam.

2.The Sub Inspector of Police,
Cumbum West Forest Range,
Theni District.

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

ORDER IN
Crl.R.C. (MD) No.573 of 2021
28.02.2022

PNM
MS/16.03.2022/2P.4C