



*Crl.R.C.(MD) No.690 of 2022*

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.R.C.(MD)No.690 of 2022

A.J.Lawrence @ Laurance

... Revision Petitioner

Vs.

State represented through,  
The Inspector of Police,  
Kulasekaram Police Station,  
Kanyakumari District.

... Respondent/petitioner

**Prayer :** This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records pertaining to the order dated 13.06.2022 passed in Crl.M.P.No.2853 of 2022 on the file of the learned Principal Sessions Judge, Kanyyakumari District at Nagercoil and set aside the same as further to return the original R.C.book of the vehicle bearing Reg.TN 75 AW 3935 to the petitioner for interim custody.

For Petitioner : Mr.M.P.Senthil  
For Respondent : Mr.S.Manikandan  
Government Advocate(Crl.Side)



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**ORDER**

This Criminal Revision Case has been filed to call for the records pertaining to the order dated 13.06.2022 passed in Crl.M.P.No.2853 of 2022, on the file of the learned Principal Sessions Judge, Kannyakumari District at Nagercoil and set aside the same as further to return the original R.C.book of the vehicle bearing Reg.TN 75 AW 3935 to the petitioner for interim custody.

2. The petitioner's vehicle bearing Registration No.TN 75 AW 3935, involved in two cases. Therefore, the Crime No.277 of 2019 and 380 of 2021 have been registered before the respondent police.

3. In both cases, the property remanded before the same Court. In respect of Crime No.277 of 2019, the petitioner's vehicle was seized by the respondent police and thereafter, the petitioner filed a petition in Crl.M.P.No.411 of 2020, seeking interim custody of the vehicle, the learned judge, on 29.01.2020 allowed the petition with a direction to produce the original RC book before the Judicial Magistrate Court No.II, Padmanabhapuram. Therefore, the petitioner has produced the original RC book before the said Court.



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4. Again on 23.09.2021, the respondent police filed a case in Crime No.380 of 2021, against the same vehicle and seized the vehicle. Thereafter, the petitioner filed a petition in Crl.M.P.No.4372 of 2021 seeking interim custody of the vehicle and the same was allowed on 08.11.2021 with a condition to produce the original R.C book. Therefore, the petitioner filed a petition in Crl.M.P.No.2853 of 2022, before the Principal Sessions Judge, Kanyakumari District, Nagercoil to return the RC book of the vehicle and the same was dismissed. Challenging the same, the present petition has been filed.

5.The learned counsel counsel for the petitioner submitted that as per the order passed in Crl.M.P.No.411 of 2020, the petitioner has produced the original RC book before the learned Judicial Magistrate Court No.II, Padmanabhapuram. In order to release the vehicle in Crime No.380 of 2021, the petitioner requires the original RC book.

6. Heard both sides and perused the materials available on record.



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7.Considering the facts and the circumstances of this case, this Criminal Revision Petition is allowed and the order dated 13.06.2022 in Cr.M.P.No.2853 of 2022 on the file of the learned Principal Sessions Judge, Kanniyakumari District, Nagercoil, is hereby set aside and the Judicial Magistrate is directed to return the original RC book of the vehicle to the petitioner by substituting the certified copy of the same, with a directions to resubmit the same after the purpose is over, within a month.

**08.11.2022**

Index : Yes/No

Internet : Yes/No

tta

To:-

- 1.The Inspector of Police,  
Kulasekaram Police Station,  
Kanyakumari District.
2. learned Principal Sessions Judge,  
Kanyyakumari District  
Nagercoil



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**G.ILANGO VAN,J**

tta

ORDER MADE IN  
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