



Crl.R.C.(MD)No.751 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.11.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGOVAN

Crl.R.C.(MD)No.751 of 2022

Thiyagarajan

... Petitioner

Vs

1. The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram (Crime No. 310 of 2021).

2. The Revenue Divisional Officer,
Ramanthapuram, Ramanathapuram District.

3. The Assistant Director,
Geology and Mining Department,
Collectorate Complex, Ramanathapuram..

... Respondents

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C., to call for the records and set aside the order passed by the Principal Sessions Judge, Ramanathapuram in Cr.M.P. No. 792 of 2022, dated 25.04.2022 and consequently direct the learned Principal Sessions Judge, Ramnathapuram to return the vehicle to the petitioner.

For Petitioner : Mr.K.Navaneetharaja

For Respondent : Mr.S.Manikandan

Government Advocate (Crl.Side)



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ORDER

Challenging the dismissal order, dated 25.04.2022, in Crl.M.P.No. 792 of 2022, passed by the Principal Sessions Judge, Ramanathapuram, this Criminal Revision Case has been filed by the revision petitioner.

2.The vehicle bearing Registration No.TN 65 AB 6258 was involved in Crime No.310 of 2021, on the file of respondent Police and in this regard, a case was also registered. The trial Court has dismissed the petition, which was filed by the revision petitioner, under Section 451 Cr.P.C, for return of vehicle. Challenging the same, this revision has been preferred by the revision petitioner.

3.Today, when the matter is taken up for hearing, the revision petitioner to show his *bonafide* has filed an undertaking affidavit stating that he is not arrayed as accused in this case and he will ensure that in future the alleged vehicle will not be hired for any illegal activities.

4.Based on the undertaking given by the revision petitioner, this Court is inclined to allow this revision.



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5. Accordingly, this Criminal Revision Case is allowed and the order, dated 25.04.2022, in Crl.M.P.No.792 of 2022, passed by the Principal Sessions Judge, Ramanathapuram, is hereby set aside and directed to return the vehicle to the revision petitioner on the following conditions:

- 1. The petitioner shall produce the original R.C. Book of the vehicle and directed to give an undertaking affidavit to the effect that he will not alter or change the properties of vehicle and he will ensure that in future the alleged vehicle will not be hired for any illegal activities, before the Principal Sessions Judge, Ramanathapuram.*
- 2. The petitioner shall execute a bond to the satisfaction of the concerned Court to be fixed on its own discretion;*
- 3. The petitioner shall produce the vehicle before the respondent and the trial Court as and when required;*
- 4. If any of the above conditions are violated, this order will stand automatically cancelled.*

17.11.2022

Index :Yes/No
Internet:Yes/No
PNM



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To

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2. The Revenue Divisional Officer,
Ramanthapuram, Ramanathapuram District.
3. The Assistant Director,
Geology and Mining Department,
Collectorate Complex, Ramanathapuram..
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

PNM

ORDER IN

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