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Crl.R.C.(MD).No.852 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.852 of 2022

Murali

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Chinthamanipatty Police Station,
Karur District.
(Crime No.65 of 2022)

.. Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records pertaining to the order passed by the Principal District and Sessions Court, Karur, in Crl.M.P.No.1462 of 2022, dated 11.08.2022 and set aside the same and order to return the petitioner's TRACTOR along with TIPPER bearing registration No.TN-46 H-8751 seized by the respondent.

For Petitioner : Mr.J.Sivaram

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed against the order of the learned Principal District and Sessions Judge, Karur in Crl.M.P.No.1462 of



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2022, dated 11.08.2022.

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2.The petitioner's application filed under Section 451 Cr.P.C. for return of vehicle namely Tractor with Tipper has been dismissed by the trial Court. The trial Court has dismissed the application, since the vehicle is involved in a previous case.

3.The learned Government Advocate (Crl. Side) submitted that so far no confiscation proceedings has been initiated in respect of the above said vehicles. The vehicle is involved in one previous case. On that ground the petition was dismissed by the trial Court.

4.The petitioner has filed undertaking affidavit before this Court to the effect that he and his vehicle will not indulge in such crime in future.

5.Accordingly, the order, dated 11.08.2022 made in Cr.M.P.No.1462 of 2022 on the file of the learned Principal District and Sessions Judge, Karur, is hereby set aside. The vehicle namely TRACTOR along with TIPPER bearing registration No.TN-46 H-8751 is ordered to be returned to the petitioner by following proper procedure. The petitioner shall produce



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the original R.C.Book and undertaking affidavit to the effect that he will not alter or change the vehicle. The petitioner shall execute a bond to the satisfaction of the concerned Court to be fixed of its own discretion. If any confiscation proceedings is initiated in future the vehicle may be repossessed by the respondent.

6.With the above directions, this Criminal Revision Case is allowed.

22.12.2022

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Principal District and Sessions Judge, Karur.
- 2.The Inspector of Police,
Chinthamanipatty Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA,J.

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