



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Twenty First day of September Two Thousand
and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGOVAN

CRL MP(MD)No.11320 of 2022
in
CRL RC(MD)No.527 of 2022

Rajalakshmi

... Petitioner/Petitioner

Vs

- 1.The State rep. Through
The Inspector of Police,
Parthibanur Police Station,
Ramanathapuram District.
(Crime No.43 of 2022)
- 2.The Sub Collector
Paramakudi.
- 3.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Tahsildar
Taluk Office,
Paramakudi.

... Respondents/Respondents

Prayer in Crl.MP(MD)No.11320 of 2022 :- Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to pass an Order of Modification, to modify the condition no. "c", which directed the petitioner to deposit original registration certificate of the petitioners vehicle before the learned Principal Sessions Judge, Ramanathapuram vide order dt.29.06.2022.

Prayer in Crl.RC(MD)No.527 of 2022:- Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the impugned order dated 28.04.2022 made in Crl.M.P.No.878 of 2022 on the file of the learned Principal Sessions Judge, Ramanathapuram and consequently, to direct the respondents to return the petitioner's vehicle, namely, JCB bearing Registration No.TN-67-BX-5103 to the petitioner forthwith.



ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.S.Jeyakarthik, Advocate for the Petitioner and of Mr.S.Manikandan, Government Advocate for the Respondents, this Court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition No.c imposed by this Court, in Crl.R.C.(MD)No.527 of 2022 dated 29.06.2022, directing the petitioner to deposit the original Registration Certificate of the vehicle with the learned Principal Sessions Judge, Ramanathapuram.

2.While passing the order dated 29.06.2022, the petitioner was directed to produce the original R.C book before the learned Judicial Magistrate, Ramanathapuram.

3.The grievance of the learned counsel for the petitioner is that a similar case was registered against the petitioner in Crime No.66 of 2019 on the file of on the file of the first respondent police and the vehicle in question was seized, that the petitioner has filed an application for returning of the vehicle and the same was ordered and that the petitioner has already submitted the original Registration Certificate in pursuance of the direction of this Court and the same is now in the custody of the learned Judicial Magistrate, Paramakudi.

4.The learned Government Advocate (Criminal Side) has not raised any objection to the allow the petition.

5.Considering the facts and circumstances of the case and also the considering the fact that the petitioner has already submitted the Original Registration Certificate before the learned Judicial Magistrate, Paramakudi, in another case, this Court is inclined to modify the condition No.c.

6.In the result, this Criminal Miscellaneous Petition is allowed. The order of this Court, made in Crl.R.C.(MD)No.527 of 2022, dated 29.06.2022, is modified in respect of the condition No.c alone and it is modified to the effect that the petitioner is directed to produce the certified copy of the Registration Certificate before the learned Principal Sessions Judge, Ramanathapuram. The other conditions shall remain unaltered.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)



TO

- 1.The Principal Sessions Judge,
Ramanathapuram.
 - 2.The Inspector of Police,
Parthibanur Police Station,
Ramanathapuram District.
 - 3.The Sub Collector,
Paramakudi.
 - 4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
 - 5.The Tahsildar,
Taluk Office,
Paramakudi.
 - 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
 - 7.The Judicial Magistrate,
Paramakudi.
- + 1 CC to M/s.M.S.Jeyakarthik, Advocate, SR.No.46190

ORDER DATED : 21/09/2022

=====

ORDER

=====

CRL MP(MD)No.11320 of 2022
in
CRL RC(MD)No.527 of 2022

Giving direction and etc.
as stated within.

SS/10/10/2022/ 3P 9C