



Crl.R.C.(MD).No.1119 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.1119 of 2022

Muthukumar

... Petitioner

Vs.

The State Rep. by its,
The Inspector of Police,
Devathanapatti Police Station,
Theni District.

... Respondent

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the order of the learned I Additional Special Court for NDPS Act Cases, Madurai in Crl.M.P.No.1393 of 2022 in C.C.No.58 of 2020 dated 20.10.2022 filed by the petitioner under Section 451 of Cr.P.C and set aside the same as illegal and return the RC Book of the vehicle bearing Registration No.PY 01 CM 5699 to the petitioner by allowing the above Criminal Revision Petition.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

This Criminal Revision Case has been filed to call for the records relating to the order of the learned I Additional Special Court for NDPS Act Cases, Madurai in Crl.M.P.No.1393 of 2022 in C.C.No.58 of 2020 dated 20.10.2022 filed by the petitioner under Section 451 of Cr.P.C and set aside the same as illegal and return the RC Book of the vehicle bearing Registration No.PY 01 CM 5699 to the petitioner by allowing the above Criminal Revision Petition.

2. The petitioner is the owner of the vehicle bearing Registration No.PY 01 CM and he was doing transport passenger service business by his bus from Cumbum to Chennai. On 05.04.2019, one of the passenger in the petitioner's bus travelled along with 12 Kgs of Ganja, hence the petitioner's bus was seized by the respondent police. Thereafter, the petitioner filed an application under Section 451 Cr.P.C in Cr.M.P.No.1379 of 2019 for releasing of his vehicle and the same was allowed on 29.04.2019 with certain conditions, one of the condition is that the petitioner to produce the vehicle before the Court once in a month (i.e.) on the first working day of every month until further orders.



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3. The learned Additional Public Prosecutor appearing for the respondent police submitted that condition imposed upon the revision petitioner to produce the vehicle before the concerned officer that was not complied with for the past six months.

4. The learned counsel for the petitioner submitted that the above said vehicle is kept in unusable condition, now for the purpose of getting fitness certificate, RC book is required.

5. For the above said limited ground, this Criminal Revision Case is partly allowed to that effect that the above said RC book is ordered for to returned to the petitioner by substituting the same with certified copy. After completion of getting fitness certificate formalities, RC book must be submitted over to the concerned Court and within a month the process of fitness proceedings must be completed.

6.If any violation is noticed, the trial Court is at liberty to proceed in accordance with law.

18.11.2022

Index : Yes / No
Internet : Yes / No
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To,

1. The Inspector of Police,
Devathanapatti Police Station,
Theni District.
2. I Additional Special Court for NDPS Act Cases,
Madurai.



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G.ILANGOVAAN,J.

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