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Crl.R.C.(MD).No.1157 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.11.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.1157 of 2022

Ajithkumar

.. Petitioner/Owner of the vehicle

Vs.

State rep. by
The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
(in Crime No.452 of 2022)

.. Respondent/Complainant

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, dated 07.11.2022 in Crl.M.P.No.11987 of 2022 in Crime No.452 of 2022 on the file of the learned Judicial Magistrate No.I, Kovilpatti and set aside the same and consequently, direct the learned Judicial Magistrate No.I, Kovilpatti, to return the vehicle bearing Reg.No.TN-83-S-9901 to the petitioner herein.

For Petitioner : Mr.M.Prabu

For Respondents : Mr.S.Manikandan
Government Advocate (Crl. Side)



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ORDER

This revision petition has been filed against the order of dismissal that has been passed by the the learned Judicial Magistrate No.I, Kovilpatti, dated 07.11.2022 in Crl.M.P.No.11987 of 2022 with consequential direction to the learned Judicial Magistrate No.I, Kovilpatti, to return the vehicle bearing Reg.No.TN-83-S-9901 to the petitioner herein.

2.The above said petition was dismissed by the trial Court on the ground that confiscation proceedings is going to be initiated by the respondent herein. But, reading of the communication that was sent by the respondent shows that it was despatched on 19.10.2022. Now more than two months have been lapsed. But no steps have been taken towards the above said proceedings. On that ground this Court is inclined to allow this revision petition.

3.Accordingly, this revision petition is allowed and the order passed by the the learned Judicial Magistrate No.I, Kovilpatti, dated 07.11.2022 in Crl.M.P.No.11987 of 2022, is hereby set aside. The vehicle of the petitioner is ordered to be returned to him by following proper procedure and when



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the confiscation is ordered, then the petitioner must surrender the property
before the concerned authority.

25.11.2022

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Judicial Magistrate No.I, Kovilpatti.
- 2.The Inspector of Police,
Kovilpatti East Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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