



WEB COPY



CrI.M.P.No.4788 of 2023

in

CrI.R.C.No.609 of 2020

Dr.G.JAYACHANDRAN, J.

This Criminal Miscellaneous Petition is filed to amend the vehicle number, which was ordered to be returned to the petitioner for his interim custody.

2. From the record, this Court finds that Mahindra Tractor bearing Registration No.TN-51-AP-5584 was seized by the respondent police while the vehicle was used for transporting sand.

3. The petitioner herein-Gnanaprakasam claiming ownership over the vehicle has moved this Court in CrI.R.C.No.609 of 2020 to return the vehicle to his interim custody.

4. This Court taking into consideration the guidelines given by the Hon'ble Supreme Court in *Sunderbhai Ambalal Desai Vs. State of Gujarat reported in 2002 10 SCC 219* ordered to return the vehicle to the



WEB COURT

petitioner on conditions mentioned. While passing the said order on 27.08.2020, the vehicle number has wrongly been mentioned as TN-51-AP-5584 instead of TN-49-AP-5584. This error has crept in because of typographical error found in the petition in CrI.R.C.No.609 of 2020.

5. The learned counsel for the petitioner herein has produced a copy of R.C.book and the affidavit of Mr.Sakthivel under whose name the R.C., stands.

6. From the affidavit of Sakthivel, this Court finds that TN-49-AP-5584 which was seized by the respondent police on 28.04.2020 stands in the name of Sakthivel. The said Sakthivel has sold the vehicle to Gnanaprakasam, who is the petitioner herein, along with P.O.form. But before transfer of vehicle, the vehicle has been seized by the respondent police. Sakthivel under whose name the vehicle in R.C.book stands bearing No.TN-49-AP-5584 stands. His affidavit declares that he has no objection for giving consent for the custody of the vehicle to the petitioner / Gnanaprakasam.



WEB COPY

7. In view of the said fact in the order dated 27.08.2020 in Crl.R.C.No.609 of 2020, the vehicle bearing registration No. TN-51-AP-5584 wherever found is to be substituted as TN-49-AP-5584. Hence the petition is ordered accordingly. With this amendment, corrected copy shall be issued to the petitioner on application.

26.04.2023

rpl



WEB COPY



Dr.G.JAYACHANDRAN, J.

rp1

Crl.M.P.No.4788 of 2023
in Crl.R.C.No.609 of 2020

26.04.2023