



Crl.R.C. No.902 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Crl.R.C.No.902 of 2023

D. Ashok

...Petitioner

Vs.

State by
Inspector of Police,
CSCID, Tiruvallur Police Station,
Tiruvallur
(Crime No.45 of 2023)

... Respondent

Prayer : Criminal Revision Petition filed under Section 397 and 401

Cr.P.C. against the order dated 12.04.2023 passed in Crl.M.P.No.4496 of
2023 on the file of the Judicial Magistrate No.I, Tiruvallur,

For Petitioner : Mr. A. Murugavel

For Respondent : Mr. J. Subbiah

Government Advocate (crl.Side)



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CrI.R.C. No.902 of 2023

ORDER

The present Criminal Revision Petition is filed against the order dated 12.04.2023 passed in CrI.M.P.No.4496 of 2023 on the file of the Judicial Magistrate No.I, Tiruvallur.

2. The revision petitioner filed the abovesaid Criminal Miscellaneous Petition under Section 451 & 457 Cr.P.C. for return of the property, namely, Bharath Benz Tanker Lorry bearing Registration No.TN 01 BD 4251, which was seized in connection with Crime No.45/2023 of CSCID, Thiruvallur Police Station, for the offences under Section 3(1) Solvent Raffinate and Slop (Acquisition, Sale, Storage and Prevention of Use in Automobiles) Order 2000 & 3 of Lubricating Oils and Greases (Processing Supply and Distribution Regulation) Order 1987 r/w 7(1)(a)(ii) EC Act 1955.



Crl.R.C. No.902 of 2023

WEB COPY

3. The learned Judicial Magistrate No.I, Thiruvallur, vide her orders dated 12.04.2023, dismissed the said petition on the ground that since the prosecution has initiated the proceedings under Section 6A of EC Act and that the seized property, namely the vehicle, was also handed over to the District Revenue Officer for confiscation, the vehicle cannot be returned to the present revision petitioner.

4. When the matter is taken up for hearing today, the learned Government Advocate (Crl. Side) contended that pursuant to the confiscation proceedings initiated by the respondent police, the District Supply Officer had issued a show cause notice under Section 6(B) of the Essential Commodities Act, 1955, dated 12.06.2023, and that the confiscation proceedings had already been initiated.

5. In the circumstances, I do not see any reason to interfere with the orders passed by the trial court judge.



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Crl.R.C. No.902 of 2023

6. In the result,

- i. the Criminal Revision Petition is dismissed. No costs.
- ii. the order dated 12.04.2023 passed in
Crl.M.P.No.4496 of 2023 on the file of the Judicial
Magistrate No.I, Tiruvallur, is confirmed.

13.07.2023

Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga

To

1. Judicial Magistrate No.I, Tiruvallur
2. The Inspector of Police,
CSCID, Tiruvallur Police Station,
Tiruvallur
(Crime No.45 of 2023



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Crl.R.C. No.902 of 2023

R. HEMALATHA, J.
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Crl.R.C.No.902 of 2023

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