



Crl.O.P.No.26961 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 29.11.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.26961 of 2023

Jayaprakash

... Petitioner

-VS-

State rep. by
The Inspector of Police,
Vadalur Police Station,
Cuddalore District.
(Crime No.514 of 2022)

.. Respondent

PRAYER: Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to call for the records connected with the order dated 11.08.2023 in Crl.R.C. No.05 of 2023 on the file of the learned Principal District Sessions Court, Cuddalore in C.M.P. No.2032 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Kurinjipadi connected with Crime No.514 of 2022 on the file of the respondent and set aside the same as illegal.

For Petitioner

: Mr.B.M.Santharam



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For Respondent

: Mr.Leonard Arul Joseph Selvam,
Government Advocate (Crl.Side)

ORDER

The petitioner herein is the owner of the vehicle which alleged to have been used by the suspected accused in Crime No.514 of 2022. Being the owner of the vehicle, the petitioner has sought for interim custody of the vehicle, but the Courts below have declined to entertain his petition since the police has not completed the investigation and his involvements in the crime could not be ruled out, pending investigation. The said reason still holds good.

2. However, the learned Government Advocate (Crl.Side), on instructions, submitted that the investigation is almost completed, within a period of two weeks final report will be filed.

3. In this circumstances, it is suffice to direct the petitioner herein to approach the trial Court, soon after the final report filed, seek for interim custody of the vehicle. If such Application is filed, based on the material submitted by the prosecution in the final report, the Court below shall take decision on whether to return the vehicle to the petitioner or not and whether the vehicle is part of case property or not and pass appropriate orders in accordance with law.



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4. With the above direction, this Criminal Original Petition is disposed of.

29.11.2023

Internet : Yes/No

Index : Yes/No

rkp

To

1. The Principal District Sessions Judge,
Cuddalore.
2. The District Munsif cum Judicial Magistrate,
Kurinjipadi.
3. The Inspector of Police,
Vadalur Police Station,
Cuddalore District.
4. The Public Prosecutor,
Madras High Court,
Madras.

Dr.G.JAYACHANDRAN,J.

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