



Crl.R.C.No.32 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2023

CORAM

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

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Kuppusamy

... Petitioner

Vs.

State by
Sub Inspector of Police,
Mohanur Police Station,
Namakkal District.

... Respondent

PRAYER : Criminal Revision Case has been filed under sections 397 read with 401 of Criminal Procedure Code to set aside the order passed by the learned Principal District Sessions Court at Namakkal in Crl.M.P.No.1823 of 2022 in Crl.M.P.No.931 of 2020 dated 19.10.2022.

For Petitioner	: Mr.M.Marimuthu
For Respondent	: Mr.V.Meganathan
	Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case is filed challenging the order passed by the Principal District Sessions Court, Namakkal in Crl.M.P.No.1823 of



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2022 in Crl.M.P.No.931 of 2020 dated 19.10.2022.

2. The case of the prosecution is that based on the report of the Deputy Tahsilar, Mohanur Taluk, the respondent police were searching for a vehicle involved in theft of sand. On inspection it was found that using JCB, five units of sand was illegally transported in a lorry without valid permit. Hence the respondent police seized the vehicle and registered a case.

3. Learned counsel for the petitioner contended that the respondent police registered a case against the petitioner in Crime No.381 of 2020 for an offence under Section 379 I.P.C., and seized the vehicle of the petitioner. The petitioner filed an application in Crl.M.P.No.931 of 2020 for return of his vehicle. On such application, the trial Court ordered to return the vehicle bearing registration No.KA-01-MG-2659 to the petitioner on 28.09.2022, as he is the owner of the vehicle. Thereafter, the petitioner has filed an application for return of original registration certificate, which was in the custody of the Court in C.P.No.64 of 2020 and the same was also ordered to



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be returned by the trial court vide its order dated 28.09.2022, imposing a condition to surrender the same on or before 18.10.2022. Since the petitioner has failed to comply with the condition, the vehicle was ordered to be seized by the trial Court.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials on record.

5. On perusal of the records, it is seen that the respondent police seized the vehicle of the petitioner in Crime No.381 of 2020 for the offence under Section 379 I.P.C., based on the report of the Deputy Tahsildar, Mohanur Taluk, Namakkal District. The petitioner filed an application for return of vehicle in Crl.M.P.No.931 of 2020 and the same was ordered on 28.09.2022. Thereafter, the petitioner filed an application to return the Registration Certificate pertaining to the vehicle(JCB) KA-01-MG-2659 in Crl.M.P.No.1823 of 2022 and the trial Court ordered to return the original



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registration certificate, which was in its custody in C.P.No.64 of 2020 on condition to surrender the Registration Certificate again on or before 18.10.2022. The petitioner has not complied with the condition. Hence the trial Court on 19.10.2022 ordered to seize the vehicle, since the petitioner has violated the condition imposed on him. Hence, I do not find any illegality or irregularity in the order passed by the trial Court.

6. This Criminal Revision Case stands dismissed accordingly.

11.01.2023

rpl

To

1.The Principal District and Sessions Court, Namakkal .

2.Sub Inspector of Police,
Mohanur Police Station,
Namakkal District.

3.The Public Prosecutor,
High Court of Madras, Chennai-104.

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V.SIVAGNANAM, J.,

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