



WEB COPY

Crl.O.P.No.28125 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2023

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.28125 of 2023

Indhukumar
Petitioner

...

Vs.

The State of Tamil Nadu,
Inspector of Police,
Anaicut Police Station,
Vellore District.
Respondent

...

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the Principal District and Sessions Judge, Vellore to take on file the Crl.M.P(Sr).No.13184 of 2023 (FN.No.4632/2023) filed by the petitioner praying to release his vehicle, Ashok Leyland Tipper lorry bearing registration number as TN 47 L 4156, seized in Crime No.25/2023 dated 28.03.2023 and to dispose the same on merits.

For Petitioner : M/s. D.Thirumoorthy

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Criminal Side)

ORDER

Petitioner herein claims that, he is the owner of the tipper lorry



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bearing Reg.No. TN 47 L-4156. The lorry been seized by the respondent police for the alleged offence of transporting morambu sand. Petitioner has filed an application under Section 457 read with Section 451 of Cr.P.C for return of vehicle. The learned Principal District and Sessions Judge, Vellore has returned the petition stating that, “how the petition is maintainable to be stated.” Petitioner herein instead of complying the return had filed petition under Section 482 of Cr.P.C., to direct the learned Principal District and Sessions Judge, Vellore to take his application on file.

2. Petitioner herein claiming that, he is the owner of the vehicle has sought for interim custody of the vehicle following the Hon'ble Supreme Court judgments.

3. In the light of the above, this Criminal Original Petition is disposed of with direction to the learned Principal District and Sessions Judge, Vellore to number the petition in Crl.M.P(Sr).No.13184 of 2023 (FN.No.4632/2023) and dispose it on merits and in accordance with law.

19.12.2023

Index : Yes/No



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Neutral Citation : Yes/No
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To

1. Inspector of Police,
Anaicut Police Station,
Vellore District.

2. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

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