



Crl.R.C.(MD).No.119 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.119 of 2023

M.Chandrakumari

.. Revision Petitioner/Petitioner/
Vehicle Owner

Vs.

1.The State through
The Sub-Inspector of Police,
Koodakovil Police Station,
Madurai District.
(Crime No.124 of 2017)

.. Respondent/Complainant

2.Ponnusamy

3.N.Irulappan
(R2 and R3 are suo-motu impleaded as per the order
of this Court dated 15.02.2023 in Crl.R.C(MD) No.119 of 223)

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the impugned dismissal order dated 01.07.2022 made in Cr.M.P No.2684 of 2022 on the file of the learned Judicial Magistrate, Thirumangalam and set aside the same by allowing the above Criminal Revision Petition.



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For Petitioner : Mr.Mariappan.G
For R1 : Mr.Sakthi Kumar.M
Government Advocate (Crl. Side)
For R3 : Mr.Ananda Kumar.N

ORDER

This Civil Revision Case is filed to call for the records relating to the impugned dismissal order dated 01.07.2022 made in Cr.M.P No.2684 of 2022 on the file of the learned Judicial Magistrate, Thirumangalam and set aside the same by allowing the above Criminal Revision Petition.

2. The learned counsel for the third respondent would submit that the above said tractor bearing Registration No.TN 67 M 9274 was already sold to one broker in the year 2016 itself and after that he has no knowledge about the subsequent development. Now he has no objection to return the vehicle to the petitioner.

3. Similarly, the second respondent is present before this Court in person and he would submit that the above said Semi Tipper Trailer bearing Registration No.TN 58 AZ 2307 was sold to the petitioner in the year 2017 itself along with documents for transfer of ownership, but the subsequent



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development is not known to him.

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4. The learned Government Advocate (Crl. Side) would submit that the above said property belongs to the petitioner by way of purchase and there is no rival claim.

5. In view of the above said submissions made by the respondents 2 and 3 in person, this Court is inclined to allow this revision.

7. Accordingly, this Criminal Revision Case is allowed and the order, dated 01.07.2022, in Crl.M.P. No.2684 of 2022 passed by the learned Judicial Magistrate, Thirumangalam, is hereby set aside and directed to return the vehicle to the revision petitioner on the following conditions:

- 1. The petitioner is directed to give an undertaking affidavit before the learned Judicial Magistrate Court, Thirumangalam, to the effect that he has purchased the above said vehicle from second and third respondents herein for valuable consideration and he will not alter or change the properties of vehicle and he will ensure that in future, the alleged vehicle will not be*



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involved in any illegal activities.

- 2. The petitioner shall execute a bond to the satisfaction of the concerned Court to be fixed on its own discretion;*
- 3. The petitioner shall produce the vehicle before the respondent and the trial Court as and when required;*
- 4. If any of the above conditions are violated, this order will stand automatically cancelled.*

27.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
Indu

To

1. The Sub-Inspector of Police,
Koodakovil Police Station,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

Indu

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