



Crl.O.P.(MD)No.1097 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.01.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.1097 of 2023

Murugaraj

... Petitioner

Vs.

The Sub Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
(Crime No.199 of 2019)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned District Munsif cum Judicial Magistrate, Radhapuram to accept the sureties of the petitioner in connection with the order made in Cr.M.P.No.3886 of 2019 dated 02.07.2019 on the file of the learned Judicial Magistrate, Nanguneri since the new court has been be constituted by bifurcating the learned Judicial Magistrate, Nanguneri as District Munsif cum Judicial Magistrate, Radhapuram and entrust the interim custody of the petitioner's vehicle bearing Registration No.TN-72-AW-3178 under P.R.No.237 of 2019.



Crl.O.P.(MD)No.1097 of 2023

For Petitioner : Mr.V.Angusamy
For Respondent : Mr.SS.Madhavan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking orders to direct the learned District Munsif cum Judicial Magistrate, Radhapuram to accept the sureties of the petitioner in connection with the order made in Cr.M.P.No.3886 of 2019 dated 02.07.2019 on the file of the learned Judicial Magistrate, Nanguneri since the new court has been constituted by bifurcating the learned Judicial Magistrate, Nanguneri as District Munsif cum Judicial Magistrate, Radhapuram and entrust the interim custody of the petitioner's vehicle bearing Registration No.TN-72-AW-3178 under P.R.No.237 of 2019.

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed an application in Cr.M.P.No.3886 of 2019 seeking interim custody of the petitioner's vehicle and the learned



Crl.O.P.(MD)No.1097 of 2023

Judicial Magistrate, Nanguneri, vide order, dated 02.07.2019 has granted interim custody, that subsequently, a new Court was constituted as District Munsif cum Judicial Magistrate, Radhapuram, that the case relating to Crime No.199 of 2019 on the file of Thisayanvilai Police Station was transferred to the District Munsif cum Judicial Magistrate, Radhapuram and that when the petitioner has produced the sureties pursuant to the order granted by the Judicial Magistrate, Nanguneri, the learned Judicial Magistrate, Radhapuram has refused to accept the sureties.

3. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that since the petitioner has not produced the RC book, the same was ordered to be returned.

4. The learned counsel appearing for the petitioner would submit that they are having the original RC book and they have already produced the same before the concerned Court.

5. Recording the submissions made on either sides, the learned District Munsif cum Judicial Magistrate, Radhapuram, in case, if FIR



Crl.O.P.(MD)No.1097 of 2023

was already transferred to the said Court, is directed to accept the sureties of the petitioner and in case, if FIR was not transferred, the petitioner may be directed to approach the Court, which passed the order for the interim custody.

6. With the above directions, this Criminal Original Petition stands disposed of.

20.01.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The District Munsif cum Judicial Magistrate,
Radhapuram.
- 2.The Sub Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.1097 of 2023



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Crl.O.P.(MD)No.1097 of 2023

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.1097 of 2023

Dated: 20.01.2023