



Crl.R.C.(MD).No.127 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 09.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.127 of 2023

Deeban Chakkaravarthi

... Petitioner

Vs.

State rep. by its
Sub Inspector of Police,
Amathur Police Station,
Virudhunagar district.
(Crime No.90 of 2022)

... Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the orders passed in Cr.M.P.No.4282 of 2022, dated 20.12.2022, on the file of learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputtur and to set aside the same and allow the petition filed under Section 451 of Criminal Procedure Code.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed to set aside the order dated 20.12.2022 made in Crl.M.P.No.Cr.M.P.No.4282 of 2022 passed by



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the learned Principal District and Sessions Judge, Virudhunagar.

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2.The petitioner's application filed under Section 451 Cr.P.C. for return of vehicle has been dismissed by the trial Court on the ground that the petitioner is having four previous cases and the vehicle is having one previous case. The vehicle namely lorry bearing registration No.TN-48 J-2526 belonging to the petitioner was seized by the respondent police, since the same was indulged in commission of theft of sand.

3.The learned Government Advocate (Crl. Side) submitted that the petitioner is having four previous cases and the vehicle is having one previous case. The petitioner was directed to file an undertaking affidavit to the effect that he will not indulge in such activities.

4.The petitioner has filed undertaking affidavit before this Court to the effect that he will not indulge in such crime in future.

5.Accordingly, this Criminal Revision Case is allowed and the order, dated 20.12.2022 made in Crl.M.P.No.Cr.M.P.No.4282 of 2022 passed by the learned Principal District and Sessions Judge, Virudhunagar, is hereby



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set aside. The vehicle is ordered to be returned to the petitioner by following proper procedure. The petitioner shall produce the original R.C.Book and undertaking affidavit to the effect that he will not alter or change the vehicle. The petitioner shall execute a bond to the satisfaction of the concerned Court to be fixed by its own discretion. If any confiscation is ordered in future the vehicle must be surrendered to the respondent.

09.02.2023

Index : Yes / No
Internet : Yes / No
TM

To

- 1.The Principal Sessions Judge, Ramanathapuram.
- 2.The Sub Inspector of Police, Amathur Police Station,
Virudhunagar district.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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