



Crl.R.C(MD) No.155 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.R.C(MD)No.155 of 2023

Thirumurugan

... Revision Petitioner

Vs.

State through Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.

... Respondent

Prayer : This Criminal Revision has been filed under Sections 397 and 401 of Criminal Procedure Code, to allow this Criminal Revision Petition by Setting aside the order passed in Cr.M.P.No.2266 of 2022 by the Fast Track Mahila Court, Theni, dated 27.12.2022.

For Petitioner : Mr.I.Murugesan
For Respondent : Mr.M.Sakthi Kumar
Government Advocate(Crl.side)



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Crl.R.C(MD) No.155 of 2023

ORDER

This Criminal Revision Petition is filed to call for the records in Cr.M.P.No. 2266 of 2022 dated 27.12.2022 passed by the Fast Track Mahila Court, Theni, and set aside the same.

2. The learned counsel for the revision petitioner submitted that the petitioner is the owner of TVS Apache Motor Cycle, bearing Registration No.TN-64-W-6910. The petitioner is facing charge under Section 302 IPC and the above said vehicle used for the purpose of riding to reach the deceased's residence. On that ground, the above said vehicle was seized and remanded before the trial Court. The petitioner claiming himself as the owner of the vehicle filed a petition under Section 451 of Cr.P.C in Cr.M.P.No.2266 of 2022, before the Fast Track Mahila Court, Theni, for return of vehicle and the same was dismissed on the ground that the vehicle involved in the offence of 302 IPC.

3. The learned Government Advocate(Crl.Side) appearing for the respondent police submitted that the above said vehicle used by the petitioner only for riding to reach the deceased residence



Crl.R.C(MD) No.155 of 2023

WEB COPY

4. Reading of CD file shows that the above said vehicle was used by the accused for committing the above said murder and also stated that it is not a weapon to commit the crime.

5. Considering the above facts and circumstances of the case, the order of the Fast Track Mahila Court, Theni, made in Cr.M.P.No.2266 of 2022, dated 27.12.2022 is set aside. The Fast Track Mahila Court, Theni, is directed to release the petitioner's vehicle by following proper procedure. The petitioner shall produce the original R.C.Book and file an 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. Accordingly, this Criminal Revision Case is allowed.

09.02.2023

Index : Yes/No
Internet : Yes/No
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Crl.R.C(MD) No.155 of 2023

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To:-

1. Inspector of Police,
Bodinayakkanur Town Police Station,
Theni District.
2. Fast Track Mahila Court, Theni.



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Crl.R.C(MD) No.155 of 2023

G.ILANGO VAN,J

tta

ORDER MADE IN
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