



Crl.R.C.(MD) No.400 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.400 of 2023

M.Valli

: Petitioner/Petitioner

Vs.

The Inspector of Police,
Sempatti Police Station,
Dindigul District.
Crime No.868 of 2020

: Respondent/Respondent

Prayer : This Criminal Revision is filed under Section 397 & 401 Cr.P.C., to call for the records and and allow this Criminal Revision Petition by setting aside the order passed in Cr.M.P.No.1134 of 2022 by the learned Principal Sessions Judge, Dindigul, dated 21.07.2022 and directing the learned District Munsif cum Judicial Magistrate Court, Aathoor to return the original R.C. Book to the petitioner.

For Petitioner : Mr.S.Siva Prakash

For Respondent : Mr.R.Sivakumar
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision is directed against the order passed in Crl.M.P.No.1134 of 2022, dated 21.07.2023 on the file of the Principal Sessions Court, Dindigul, dismissing the petition seeking orders for returning of the original R.C. Book of the Tractor bearing Registration No.TN-48-W-1264, which was already deposited before the learned District Munsif cum Judicial Magistrate, Aathoor.

2. The learned counsel appearing for the petitioner would submit that the petitioner has earlier filed a petition in Crl.M.P.No.1248 of 2020 before the Principal Sessions Court, Dindigul, seeking orders for returning the vehicle and the learned Principal Sessions Judge, vide order dated 22.09.2020 and the same was allowed for interim custody of vehicle of Tractor bearing Reg No. TN-48-W-1264 with unnumbered Trailer in favour of the petitioner from the Judicial Magistrate Court, Aathoor on deposit of original R.C. Book and related documents.

3. The learned counsel appearing for the petitioner would further submit that the petitioner has filed an application in Crl.M.P.No.1134 of



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2022, seeking orders for return of original RC of Tractor bearing Registration No.TN-48-W-1264, for effecting transfer of RC in the name of the petitioner, renewal of FC and renewal of Insurance. The learned Principal Sessions Judge by observing that since the petitioner was the subsequent purchaser of the vehicle in question, on the basis of T.O. Form, sale receipt and related documents, the vehicle was ordered to hand over to her on interim custody by imposing conditions to take appropriate action to transfer the vehicle to her name. The learned counsel for the petitioner would further submit that the learned Principal Sessions Judge by observing that the petitioner has not complied with the conditions of that Court in respect of transfer of the vehicle and he has not stated any reason for the non compliance of the conditions, dismissed the petition.

4. The learned counsel for the petitioner would further submit that the above direction of the Principal Sessions Court was not conveyed to the petitioner and hence, she was not in a position to comply with the earlier direction.

5. Considering the above facts and circumstances and also the submissions made by the learned counsel for the petitioner and the learned



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Government Advocate (Criminal Side), the learned District Munsif cum Judicial Magistrate, Athoor is directed to hand over the original R.C. Book of the vehicle in question, after getting due acknowledgement and the petitioner is directed to return the original R.C. Book before the District Munsif cum Judicial Magistrate, Aathoor within a period of one month from the date of receipt of the original R.C. Book from the said Court.

6. With the above directions, this Criminal Revision Petition is allowed.

12.06.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To:-

- 1.The Principal Sessions Judge,
Dindigul.
- 2.The District Munsif cum Judicial Magistrate,
Aathoor.
- 3.The Inspector of Police,
Sempatti Police Station, Dindigul District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR, J.

das

ORDER MADE IN
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12.06.2023