



Crl.R.C.(MD) No.285 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.285 of 2023

Sagunthaladevi

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
(Crime No.1272 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.4260 of 2022 by the learned Principal Sessions Judge, Dindigul dated 05.01.2023 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.Sivaprakash,

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

This Criminal Revision is directed against the order passed in CrI.M.P.No. 4260 of 2022 dated 05.01.2023 on the file of the Principal Sessions Court,



Crl.R.C.(MD) No.285 of 2023

Dindigul, dismissing the petition seeking orders for returning of the original R.C. Book of the Tractor bearing Registration No.TN-57-BK-4658, which was already deposited before the learned District Munsif cum Judicial Magistrate, Athoor.

2. The learned counsel appearing for the petitioner would submit that the petitioner has earlier filed a petition in Crl.M.P.No.1146 of 2022 before the Principal Sessions Court, Dindigul, seeking orders for returning of the original R.C. Book and the learned Principal Sessions Judge, vide order dated 27.06.2022, granted permission to get the R.C. Book and directed the petitioner to return the original R.C. Book before the District Munsif cum Judicial Magistrate Court, Athoor within a month from the date of that order i.e., on or before 26.07.2022 without fail.

3. The learned counsel appearing for the petitioner would further submit that the above order granting permission was not conveyed to the petitioner and hence, the order was not complied with. He would further submit that the petitioner has again filed the present application in Crl.M.P.No.4260 of 2022 seeking the same relief for returning of the original R.C. Book and the learned



Crl.R.C.(MD) No.285 of 2023

Principal Sessions Judge, by holding that earlier order was not complied with, dismissed the petition.

4. The petitioner has filed an affidavit before this Court stating that the earlier order of the Principal Sessions Court was not conveyed to her and hence, she was not in a position to comply with the earlier order.

5. Considering the above facts and circumstances and also taking note of the affidavit filed by the petitioner, 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, Athoor 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.

20.03.2023

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



WEB COPY



Crl.R.C.(MD) No.285 of 2023

K.MURALI SHANKAR, J.

csm

To:-

- 1.The District Munsif cum Judicial Magistrate,
Athoor.
- 2.The Inspector of Police,
Kannivadi Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**ORDER MADE IN
Crl.R.C.(MD)No.285 of 2023**

20.03.2023