



CrI.O.P.(MD) No.13293 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

CrI.O.P.(MD) No.13293 of 2023

Tamizharasan

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District 630 562.

2.The Deputy Superintendent of Police,
Manamadurai Taluk,
Manamadurai 630 606.

3.The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi 630 610.

4.Chezhiyan

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the 3rd respondent to release the petitioner's Yamaha Ray Two Wheeler in bearing Registration Number TN 63 BL 1344 from the illegal custody of the 4th respondent based on the petitioner's online representation on 16.07.2023 and 17.03.2023 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.R.Senthilkumar
For R1 to R3 : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This petition is filed seeking for a direction to the respondent police to release the petitioner's Yamaha Ray Two Wheeler bearing Registration Number. TN 63 BL 1344, which is in illegal custody of the respondent No.4 police.

2.According to the learned counsel for the petitioner, when the petitioner was taking lunch along with his father on 01.07.2023 at 02.30 pm., the respondent No.4 police has illegally took the two wheeler belonging to the petitioner bearing No.TN 63 BL 1311 without any basis, therefore, sought for suitable directions.

3.The learned Government Advocate (Crl.side) submits that the vehicle was seized by the respondent police in Crime No.105 of 2023 and was produced before the learned Judicial Magistrate, Thiruppuvanam on 30.06.2023 and was registered in the property register also.

4.Once the two wheeler, which is sought for by the petitioner, is involved in



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a criminal case and produced before the criminal Court, this petition seeking for a direction to the respondent police to release the petitioner's two wheeler will not sustain. This Petition is therefore disposed of by directing the petitioner to approach the concerned Magistrate Court and file proper application for the interim custody of the two wheeler allegedly belonging to the petitioner.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

25.07.2023

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District 630 562.
- 2.The Deputy Superintendent of Police,
Manamadurai Taluk,
Manamadurai 630 606.
- 3.The Inspector of Police,
Thiruppachethi Police Station,
Thiruppachethi 630 610.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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DR.D.NAGARJUN. J.

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