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Crl.R.C.No.889 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 09.05.2024

CORAM :

THE HON'BLE MR. JUSTICE K.KUMARESH BABU

Crl.R.C.No.889 of 2024

A.Kaja
S/o Akkim

... Petitioner

Vs.

State Rep. by
Inspector of Police,
E-1, Mamallapuram Police Station,
Chengalpet District
Crime No.627 of 2023

... Respondent

Prayer: The Criminal Revision Case has been filed under Section 397 r/w 401 of Cr.P.C. to set aside the order passed in Crl.M.P.No.68 of 2024 on the file of the learned Principal District Judge, Chengalpattu, dated 13.03.2024.

For Petitioner

: Mr.C.Mohan Raj

For Respondent

: Mr.L.Baskaran
Govt. Advocate (Crl. Side)

ORDER

The above Criminal Revision Case has been filed under
Section 397 r/w 401 of Cr.P.C. to set aside the order passed in



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Crl.M.P.No.68 of 2024 on the file of the learned Principal District Judge,
Chengalpattu, dated 13.03.2024.

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2.The learned counsel for the petitioner submitted that he is the owner of the vehicle Ashok Leyland Yellow Colour Tipper Lorry bearing Registration No.TN-45-BH-9486. His vehicle was seized by the respondent police in Crime No.627 of 2023 alleging that the accused has illegally transported 4 units of gravel sand (M-sand). A case was also registered under Section 430, 379 of IPC r/w. 21 of Mines and Minerals (Development & Regulation) Act, 1957. He added that the above said vehicle was seized as early as on 14.10.2023 and it is kept idle in the custody of the respondent and the lorry is also exposed to sun and rain for a long time and the value of the said vehicle is getting decreased and the petitioner has to spend huge amount to get back the vehicle to its normal condition.

3.The learned counsel further submitted that he had also filed an application under 451 and 457 Cr.P.C. in Crl.M.P.No.68 of 2024 to release the vehicle Ashok Leyland Yellow Colour Tipper Lorry bearing



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Registration No.TN-45-BH-9486, which was seized by the respondent police in Crime No.627 of 2023 and the same was dismissed by the learned Principal District and Sessions Judge, Chengalpattu vide order dated 13.03.2024. Accordingly, prays for return back the vehicle.

4.The learned Government Advocate (Crl. Side) would submit that confiscation proceedings have been initiated by them and the same is pending.

5.In view of the same, this Court directs the respondent / confiscation authority to effect the confiscation proceedings and hand over the vehicle of the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

6.This Criminal Revision Case stands disposed of accordingly.

09.05.2024

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Index: Yes / No



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K.KUMARESH BABU, J.
kas

To

1.The Inspector of Police,
E-1, Mamallapuram Police Station,
Chengalpet District
Crime No.627 of 2023

2. The Principal District Judge
Chengalpattu

3.The Public Prosecutor
High Court of Madras
Chennai 600 104.

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