



**Crl.R.C.(MD) No.133 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 12.02.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**Crl.R.C.(MD) No.133 of 2024**

B.Narayanan

...Petitioner

**Vs.**

The State, Rep. by  
The Sub-Inspector of Police,  
Kollencode Police Station,  
Kollencode  
Kanniyakumari District.  
Crime No.443 of 2021

...Respondent

**PRAYER :** Criminal Revision Case has been filed under Section 397  
r/w 401 of Criminal Procedure Code, to call for the records of the  
dismissal order made by the learned Principal Sessions Judge,



**Crl.R.C.(MD) No.133 of 2024**

Kanyakumari District at Nagercoil in Crl.M.P.No.6072 of 2023 dated 23.11.2023 in Crime No.443 of 2021 on the file of the Sub-Inspector of Police, Kollencode Police Station, Kollencode, Kanniyakumari District, and set aside the same forthwith by allowing the Criminal Revision Petition.

For Petitioner : Mr.S.Palani Velayutham

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

### **ORDER**

This Criminal Revision Case has been filed by the revision petitioner against the order dated 23.11.2023 in Crl.M.P.No.6072 of 2023 on the file of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil.

2. It is the case of the revision petitioner that the petitioner is the owner of the vehicle bearing registration No.TN 63 BL 2336 and the said vehicle was seized by the respondent police in Crime No.443



**Crl.R.C.(MD) No.133 of 2024**

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of 2021 for the offence punishable under Section 379 of IPC. The petitioner has filed a petition under Section 451 of Cr.P.C. before the learned Principal Sessions Judge, Kanyakumari District, Nagercoil in Cr.M.P.No.5813 of 2021 seeking for interim custody of the said vehicle and the same was ordered subject to the condition that the petitioner shall produce the original Registration Certificate (hereinafter 'RC' for the sake of brevity) of the vehicle before the learned Judicial Magistrate No.II, Kuzhithurai. Since the petitioner needs the original RC for the renewal of Fitness Certificate (hereinafter 'FC' for the sake of convenience) of the vehicle, he has filed Crl.M.P.No.6072 of 2023 seeking return of original RC of the said vehicle and the same was dismissed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil. Aggrieved over the same, the present Criminal Revision Petition has been filed by the petitioner.

3. Learned counsel for the petitioner submitted that FC for the alleged vehicle was expired on 22.08.2023 and for the purpose of



**Crl.R.C.(MD) No.133 of 2024**

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renewal, the vehicle is required to be produced before the RTO Office, Nagercoil, along with the original RC and hence, he prayed that the RC of the vehicle may be ordered to be returned to the petitioner.

4. On the other hand, learned Additional Public Prosecutor opposed the submissions of the learned counsel for the petitioner on the ground that the petitioner has not complied with the conditions imposed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil, vide its order dated 22.12.2021 in Cr.M.P.No. 5813 of 2021. He further contended that if the RC is returned to the petitioner, the vehicle would be sold.

5. In view of the submissions made by the learned Additional Public Prosecutor and also taking note of the fact that the petitioner has not complied with the order of the Court below, this Court is not inclined to interfere with the order of the learned Principal Sessions Judge, Kanyakumari District at Nagercoil.



**Crl.R.C.(MD) No.133 of 2024**

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6. Accordingly, the order passed by the learned Principal Sessions Judge, Kanyakumari District at Nagercoil, in Crl.M.P.No.6072 of 2023, dated 23.11.2023, stands confirmed and the Criminal Revision Petition is dismissed.

**12.02.2024**

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

RM

To

- 1.The Sub-Inspector of Police,  
Kollencode Police Station,  
Kollencode  
Kanniyakumari District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**Crl.R.C.(MD) No.133 of 2024**

**VIVEK KUMAR SINGH, J.**

RM

Crl.R.C.(MD) No.133 of 2024

**12.02.2024**