



Crl.R.C.(MD)No.258 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

Crl.R.C.(MD)No.258 of 2024

Vishwanathan

.. Petitioner

Vs.

The Inspector of Police,
Kottaipattinam Police Station,
Ramanathapuram District.

Crime No.87 of 2023

... Respondent

PRAYER : Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the order dated 05.12.2023 passed in Crl.M.P.No.8013 of 2023 passed by the learned Judicial Magistrate, Aranthangi, insofar as the condition directing the petitioner to submit the original R.C.Book before the Court (in respect of Condition No.5) and set aside the same as illegal and allow the above revision petition as prayed for.



Crl.R.C.(MD)No.258 of 2024

For Petitioner : Mr.V.Bharkavi

For Respondent : Mr.R.Sivakumar

Government Advocate (Crl. Side)

ORDER

The present Criminal Revision has been filed by the petitioner challenging the order passed by the learned Judicial Magistrate, Aranthangi, dated 05.12.2023 in Crl.M.P.No.8013 of 2023, insofar as the condition No. 5, directing the petitioner to submit the original R.C.Book before the Court.

2. The case of the petitioner is that the respondent police seized the petitioner's car bearing registration number TN 22 DD 2488 in connection with Crime No.87 of 2023 for the offences punishable under Sections 294(b), 323, 342, 364 and 307 of IPC against the petitioner and three others. The petitioner is the owner of the vehicle and thereby he filed a petition before the learned Judicial Magistrate, Aranthangi, seeking interim custody of the vehicle and the same was allowed on 05.12.2023 with certain conditions.



Crl.R.C.(MD)No.258 of 2024

3. The grievance of the petitioner is that while passing the aforesaid conditional order, learned Judicial Magistrate imposed condition No.5 directing the petitioner to submit original Registration Certificate before the trial Court. Since, the vehicle has been hypothecated with the Finance Company, the petitioner is not able to surrender the original Registration Certificate before the trial Court.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police submitted that this Court shall consider to modify the condition No.5 subject to the condition that the petitioner will produce the certified copy of the Registration Certificate of the concerned vehicle ie., TN 22 DD 2488 and the vehicle shall not be sold or disposed of till the disposal of the proceedings.

5. Considering the submissions made by the learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side), this Court is inclined to modify the condition No.5 alone to the effect that the petitioner shall produce the certified copy of the Registration Certificate of the concerned vehicle ie., TN 22 DD 2488 before the concerned Court and he shall not sell the vehicle till the disposal of the proceedings.



Crl.R.C.(MD)No.258 of 2024

WEB COPY

6. Accordingly, this Criminal Revision Case stands disposed of.

08.03.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

PKN

Copy to

1.The Judicial Magistrate Court,
Aranthangi,
Thoothukudi.

2.The Inspector of Police,
Kottaiappattinam Police Station,
Ramanathapuram District.



WEB COPY



Crl.R.C.(MD)No.258 of 2024

VIVEK KUMAR SINGH, J.

PKN

Crl.R.C.(MD)No.258 of 2024

08.03.2024