



Crl.O.P.(MD)No.14124 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14124 of 2024

Esakkimuthu

... Petitioner

Vs.

State rep by
The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.
(Crime No.161 of 2022)

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 B.N.S.S., to set aside the docket order made by the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District in Unnumbered Cr.M.P.SR.No.2543 of 2024 in S.T.C.No.159 of 2022 dated 20.03.2024 and direct the learned Judicial Magistrate Court, Rajapalayam, Virudhunagar District to number the same.

For Petitioner : Mr.D.Rajaboopathy

For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



Crl.O.P.(MD)No.14124 of 2024

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ORDER

The Criminal Original Petition is directed against the docket order dated 20.03.2024 passed by the learned Judicial Magistrate, Rajapalayam, Virudhunagar District in Unnumbered Cr.M.P.SR.No.2543 of 2024 in S.T.C.No.159 of 2022 and for direction to the learned Judicial Magistrate, Rajapalayam, Virudhunagar District to number the same.

2. When the matter was taken up for hearing on 28.08.2024, the learned counsel appearing for the petitioner submitted that the petitioner has filed a petition under Section 452 Cr.P.C. seeking orders to return the R.C. Book for the vehicle bearing Registration No.TN-84-H-1752 which came to be submitted at the time of getting back the property from the concerned Court but the learned Magistrate has returned the petition stating that the records were sent to the High Court, Madurai vide letter dated 08.08.2024 and this Court, considering the said submission, has directed the Registry to call for a report from the learned Judicial Magistrate, Rajapalayam, Virudhunagar District with regard to the pendency of the proceedings before the High Court and the availability of the R.C. Book and in pursuance of the said direction, the learned



Crl.O.P.(MD)No.14124 of 2024

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Magistrate has submitted a report dated 02.09.2024 stating the entire records pertaining to the case in S.T.C.No.159 of 2022 along with the other cases disposed of on admission for the period from 06.05.2019 to 31.07.2022 had been sent to the Madurai Bench of Madras High Court.

3. It is brought to the notice of this Court that the records were sent by the learned Magistrate in relation to the enquiry against the Judicial Officer and the records in S.T.C.No.159 of 2022 is available with the Registrar (Vigilance).

4. Considering the above, the Additional Registrar (Vigilance) of this Court is directed to send a copy of the entire records in S.T.C.No.159 of 2022 to the Court of the Judicial Magistrate, Rajapalayam, Virudhunagar District within a period of one week from the date of receipt of a copy of this order and on receipt of the records, the learned Judicial Magistrate, Rajapalayam is directed to consider the petitioner's petition filed under Section 452 Cr.P.C. and pass orders within a period of 10 days from the date of receipt of the records.



Crl.O.P.(MD)No.14124 of 2024

5. With the above direction, this Criminal Original Petition stands

disposed of.

24.09.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

csm

Note : Registry is directed to return the original papers to the petitioner, after getting necessary acknowledgments.

To

1.The Additional Registrar (Vigilance),
Madurai Bench of Madras High Court,
Madurai.

2.The Judicial Magistrate,
Rajapalayam.

3.The Inspector of Police,
Thalavaipuram Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.14124 of 2024



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Crl.O.P.(MD)No.14124 of 2024

K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.14124 of 2024

Dated: 24.09.2024