



WEB COPY



Crl.O.P.(MD).No.15929

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD).No.15929 of 2023

Kannan

...Petitioner

Vs.

State represented by
the Sub Inspector of Police,
Amathur Police Station,
Virudhunagar District.
(Crime No.43 of 2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the docket order dated 31.03.2023 in unnumbered Crl.M.P.No...of 2023 passed by the learned Judicial Magistrate No.II, Virudhunagar and set aside the same and consequently direct the learned Judicial Magistrate No.II, Virudhunagar to number the petition filed by the petitioner under Sections 451 and 457 of Cr.P.C. regarding the interim custody of the petitioner's vehicle bearing Registration No.TN-59-BJ-8273.

For Petitioner

: Mr.G.R.Sathish

For Respondent

: Mr.A.Albert James,
Government Advocate
(Criminal Side)



Crl.O.P.(MD).No.15929

ORDER

This petition has been filed challenging the order passed by the Court below dated 31.03.2023, refusing to entertain the application filed by the petitioner under Sections 451 and 457 of Cr.P.C. for the return of the vehicle.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police.

3. When the matter was taken up for hearing, it was brought to the notice of this Court that confiscation proceedings were initiated and the two-wheeler belonging to the petitioner was confiscated and it was also brought on public auction. In the public auction, it has been purchased by the auction purchaser for a sum of Rs.42,000/-. The vehicle has also been handed over to the auction purchaser. In view of the above development, nothing survives for further adjudication in this petition. If ultimately the petitioner is aggrieved by the confiscation proceedings by bringing his vehicle for auction sale, it is left open to the petitioner to work out his remedy in the manner known to law.

4. The Criminal Original Petition is disposed of accordingly

28.11.2024

Index : Yes / No
Internet : Yes / No
Speaking Order/Non Speaking Order
TSG

<https://www.mhc.tn.gov.in/judis>



Crl.O.P.(MD).No.15929

To

1.The Judicial Magistrate No.II, Virudhunagar.

2.The Sub Inspector of Police,
Amathur Police Station,
Virudhunagar District.

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



WEB COPY



Crl.O.P.(MD).No.15929

N.ANAND VENKATESH, J.

TSG

Crl.O.P.(MD).No.15929 of 2023

28.11.2024