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Crl.R.C.No.456 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.456 of 2025

A.Priyadarshan

... Petitioner

..VS..

State represented by
Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District,
Crime No.186 of 2024.

... Respondent

Criminal Revision Case filed under Sections 442 BNSS, 2023, to call for the records and set aside the order dated 12.12.2024 passed by the learned Judicial Magistrate, Sriperumbudur, in Crl.M.P.No.5647 of 2024 in Crime No.186 of 2024 and to return the Original R.C.Book of Two Wheeler Hero Splendor Plus bearing Registration No.TN-87-E-1474 to the custody of the petitioner.

For Petitioner : Mr.S.Sekar

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

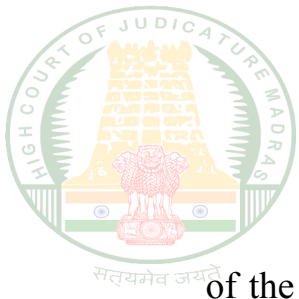
ORDER



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2. According to the petitioner, the petitioner's two wheeler, viz., Hero Splendor Plus, bearing Registration No.TN-87-E-1474 and original R.C.Book, were seized by the respondent-Police in connection with a case in Crime No.186 of 2024 for the offences under Sections 354A(1)(i) and 354A(2) IPC and Section 4 of the Prohibition of Harassment of Woman Act, 2002. The allegation against the petitioner is that on 13.03.2024, he sexually abused the *de-facto* complainant and that the above said case was registered against the petitioner. Hence, the petitioner filed a petition in Crl.M.P.No.3699 of 2024 before the Judicial Magistrate, Sriperumbudur, seeking interim custody of the said vehicle and the said petition allowed, *vide* order dated 29.05.2024. Even though the said vehicle was handed over to the petitioner, the original R.C.Book



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of the said vehicle was not handed over to him and hence, the petitioner filed a petition in Crl.M.P.No.5647 of 2024 seeking interim custody of original R.C.Book for the said vehicle and the same was dismissed by the Court below by order dated 12.12.2024. Challenging the same, the present revision petition is filed by the petitioner.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the vehicle in question and he is no way connected with the alleged offence. He further submitted that R.C.Book of the said vehicle had expired, and without surrendering the original R.C.Book, the petitioner is unable to renew the same and further, for the purpose of renewal of insurance also, the original R.C.Book is required. Hence, the petitioner seeks interim custody of the original R.C.Book and that he would abide by any stringent conditions, if any, that may be imposed on him.

4. Learned Additional Public Prosecutor appearing for the respondent-Police submitted that after completion of investigation, charge sheet was filed through e-filing on 06.04.2024, *vide*, e-filing



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No.C202400174 before the Judicial Magistrate, Sriperumbudur.

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5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances and also considering the serious nature of the offence involved in this case, that too, the person, who came to the subject vehicle, committed the alleged offence, this Court is of the view that if the said original R.C.Book is returned to the petitioner, there is a possibility of selling the said vehicle, which would defeat the entire case of the prosecution. Therefore, this Court does not find any reason to interfere with the order passed by the Court below and there is no merit in this revision petition and the same is liable to be dismissed.

7. From the submissions of the learned Additional Public Prosecutor, it is seen that charge sheet was already filed before the Court below. Since the offence involved in this case is against a woman, the learned Judicial Magistrate, Sriperumbudur, is directed to take the charge sheet on file and dispose of the case on merits and in accordance with law



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within a period of three months from the date of receipt of a copy of this order.

8. With the above observations and directions, this Criminal Revision Petition is dismissed.

19.03.2025

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Case Citation : Yes / No
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To

1. The Judicial Magistrate,
Sriperumbudur.
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police,
Sunguvarchatram Police Station,
Kancheepuram District.



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P.VELMURUGAN, J.

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