



Crl.R.C.(MD) No.144 of 20245

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 03.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.144 of 2025

and

Crl.M.P(MD)No.1493 of 2025

Cicily

: Petitioner

Vs.

State of Tamil Nadu

rep.by the Sub-Inspector of Police,

Kotticode Police Station, Kanyakumari District.

Crime No.209 of 2024.

: Respondent

Prayer : This Criminal Revision has been filed under Section 438 r/w 442 of B.N.S.S., to call for the records in Crl.M.P.No.3603 of 2024 on the file of the Judicial Magistrate No.I, Padmanabhapuram, dated 06.01.2025 and set aside the same.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side).

ORDER

This Criminal Revision Petition is directed against the order passed in Crl.M.P.No.3603 of 2024, dated 06.01.2025, on the file of the learned Judicial



Crl.R.C.(MD) No.144 of 20245

Magistrate No.I, Padmanabhapuram, dismissing the petition seeking for return of RC Book relating to the vehicle bearing Reg.No.TN-75-AM-5333.

2.It is not in dispute that the petitioner's vehicle was allegedly involved the case in Crime No.665 of 2020 on the file of the Kotticode Police Station and the vehicle came to be seized; that the petitioner has filed a petition in Crl.M.P.No.3151 of 2020, seeking interim custody of the vehicle; that the learned Magistrate has passed an order granting interim custody on condition that the petitioner has to deposit the original RC Book and accordingly that conditions came to be complied with. It is also not in dispute that subsequently, the same vehicle was involved in another case in Crime No.209 of 2024 on the file of the Kotticode Police Station; that the petitioner again has filed a petition in Crl.M.P.No.3524 of 2024, seeking interim custody of the vehicle and the learned Judicial Magistrate No.I, Padmanabhapuram has passed an order, dated 10.12.2024 granting interim custody and also directed the petitioner to produce the original RC Book; that the petitioner has thereafter filed the present petition in Crl.M.P.No.3603 of 2024 for return of RC Book, which came to be deposited in the case in Crime No.665 of 2020, claiming that the RC Book has to be produced before the same Court for the case relating to the case in Crime No.209 of 2024 and the learned Magistrate after enquiry, has passed the impugned order, dismissed petition.



Crl.R.C.(MD) No.144 of 20245

WEB COPY

3.As rightly observed by the learned Magistrate, the petitioner has purposely suppressed the pendency of the earlier case and getting the vehicle on interim custody and production of RC Book before the concerned Court and that the petitioner obtained the second order for interim custody and on that ground, the learned Magistrate has dismissed the petition.

4.Considering the above, this Court is constrained to say that the petitioner suppressing the material facts has obtained the interim custody order and as such, the impugned order dismissing the petition cannot be found fault with. Consequently, this Court concludes that the Criminal Revision is devoid of merits and the same is liable to be dismissed.

5.In the result, the Criminal Revision Petition is dismissed.
Consequently, connected Miscellaneous Petition is closed.

03.02.2025

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



WEB COPY



CrI.R.C.(MD) No.144 of 20245

K.MURALI SHANKAR, J.

das

To:-

- 1.The Judicial Magistrate No.I,
Padmanabhapuram.
- 2.The Sub-Inspector of Police,
Kotticode Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER MADE IN
CrI.R.C.(MD)No.144 of 2025
and
CrI.M.P(MD)No.1493 of 2025

03.02.2025