



Crl.R.C.(MD)No.11 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2025

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THE HONOURABLE MR.JUSTICE P.VADAMALAI

Crl.R.C.(MD)No.11 of 2025

Santhosam

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by the Sub Inspector of Police,
Tenkarai Police Station,
Theni District.
(Crime No.1318 of 2020)

... Respondent

PRAYER : Criminal Revision Petition filed under Section 438 r/w 442 BNSS, to call for the records pertaining to the impugned order passed in Crl.M.P.No.2747 of 2024 dated 22.10.2024 in R.P.R.No.52 of 2020 by the learned Principal Sessions Judge, Theni and set aside the same, and direct the learned Judge to return the original R.C. Books of the vehicles viz. Tractor bearing Registration No.TN-60-J-9914 and Trailer bearing Registration No.TN-60-J-9923.



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For Petitioner : Mr.T.Wins

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The Criminal Revision Case is directed against the order, dated 22.10.2024, passed in Crl.M.P.No.2747 of 2024 on the file of the learned Principal Sessions Judge, Theni dismissing the petition filed under Section 498 of BNSS.

2. The petitioner claims to be the owner of the vehicles viz. Tractor bearing Registration No.TN-60-J-9914 and Trailer bearing Registration No.TN-60-J-9923. On 18.06.2020, the respondent police seized the aforesaid vehicles and registered a case, in Crime No.1318 of 2020, on the ground that the tractor, along with the trailer, was involved in commission of offence under Section 379 of IPC and 21(1) of Mines & Minerals (Development & Regulation) Act. The aforesaid vehicles were returned to the petitioner in R.P.R.No.52 of 2020 on the file of the



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learned Judicial Magistrate, Periyakulam on a condition to deposit the original R.C. Books of the said vehicles.

3. It is not in dispute that the petitioner has approached the learned Principal Sessions Judge, Theni by filing a petition for the return of original RC Books for the vehicles viz. Tractor bearing Registration No.TN-60-J-9914 and Trailer bearing Registration No.TN-60-J-9923 in Crl.M.P.No.2747 of 2024, and the learned Principal Sessions Judge, Theni vide his order, dated 22.10.2024, has dismissed the said petition. Aggrieved by the order of dismissal, the petitioner has now come forward with the present revision.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5. The learned counsel appearing for the petitioner would submit that the original R.C. Books are now required for obtaining fitness certificate for the vehicles viz. Tractor bearing Registration No.TN-60-J-9914 and Trailer bearing Registration No.TN-60-J-9923 as well as to



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renew the insurance policies for the aforesaid vehicles. Hence, he prays this Court to direct the learned Principal Sessions Judge, Theni to return the R.C. Books of the vehicles for a period of one month.

6. The learned Additional Public Prosecutor appearing for the respondent has not raised any objection to the submission made by the learned counsel for the petitioner.

7. Considering the above facts and circumstances of the case, this Court is inclined to direct the trial Court to return the original RC Books of the vehicles, viz. Tractor bearing Registration No.TN-60-J-9914 and Trailer bearing Registration No.TN-60-J-9923, to the petitioner for a period of one month.

8. Accordingly, this Criminal Revision Case is allowed, and the order, dated 22.10.2024, passed in Crl.M.P.No.2747 of 2024 by the learned Principal Sessions Judge, Theni is hereby set aside, and the learned Principal Sessions Judge, Theni is directed to return the original RC Books of the vehicles viz. Tractor bearing Registration No.TN-60-



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J-9914 and Trailer bearing Registration No.TN-60-J-9923 to the petitioner on proper acknowledgement for a period of one month from the date of receipt of a copy of this order.

9. It is also made clear that the petitioner shall re-deposit the R.C. Books before the learned Principal Sessions Judge, Theni within a period of one month from the date of receipt of original RC Books, without any default.

06.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The learned Principal Sessions Judge,
Theni.
- 2.The Sub Inspector of Police,
Tenkarai Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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P.VADAMALAI, J.

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