

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2015

CORAM:

THE HONOURABLE MR.JUSTICE P.DEVADASS

CRL.R.C.NO.327 OF 2015

Gladwin

... Petitioner

Vs.

State,

Rep. by Inspector of Police,

K.G.Chavdi Police Station,

Coimbatore District.

(Crime No.45/2014)

.... Respondent

PRAYER: Criminal Revision Petition filed under section 397 & 401 of Criminal Procedure Code with a prayer to set aside the order in so far as the one condition and modify the above condition in C.M.P.No.1618 of 2014 dated 13.03.2015 passed by the Judicial Magistrate No.VII, Coimbatore.

For Petitioner : Mr.S.Vinoth

For Respondent : Mr.Pratap Kumar
Government Advocate

O R D E R

This Revision has been directed by the accused with reference to condition No.1 imposed in return of property ordered by the learned Judicial Magistrate No.VII, Coimbatore in C.M.P. No.1618 of 2015 on 13.03.2015.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

3. Petitioner is accused of illegal transportation of sand in his lorry. Lorry has been seized. While ordering return of this lorry, the learned Magistrate directed the petitioner to execute a bond for Rs.5,00,000/- (Rupees Five Lakhs only) with one surety (Condition No.1).

4. It is submitted by the learned counsel for the petitioner that the said condition is onerous and he and the surety is not able to produce any property surety.

5. In the circumstances, in the impugned order passed by the learned Judicial Magistrate No.VII, Coimbatore in C.M.P.No.1618 of

2015 dated 13.03.2015, Condition No.1 shall be treated as personal bond both by the accused and by the surety.

6. However, the learned Judicial Magistrate, shall make entry in the R.C. Book of the lorry that the lorry is involved in this case, mentioned in Crime No.45 of 2014.

7. Accordingly, this Criminal Revision is disposed of.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

kua/ds

To

1.The Judicial Magistrate No.VII
Coimbatore.

2. Inspector of Police,
K.G.Chavdi Police Station,
Coimbatore District.

3. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.S. Vinoth, Advocate, Sr. 20852

CRL.R.C.NO.327 OF 2015

LRS (CO)
kk 21/4

WEB COPY