



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Crl.O.P(MD)No.11650 of 2015

WEB COPY

Alagu @ Alageshan

... Petitioner/Accused No.1

-Vs-

The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.
(In Crime No.489 of 2013)

... Respondent/Complainant

PRAYER:- Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the learned Judicial Magistrate, Karaikudi to return the amount of Rs.1 lakh to the petitioner herein which was deposited on 04.07.2013 by the petitioner herein in the case in Crime No.489 of 2013 before the learned Judicial Magistrate, Karaikudi.

For Petitioner : Mr.S.M.Sanjay

For Respondent : Mr.K.Anbarasan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 praying to direct the learned Judicial Magistrate, Karaikudi to return the amount of Rs.1 lakh to the petitioner herein which was deposited on 04.07.2013 by the petitioner herein in the case in Crime No.489 of 2013 before the learned Judicial Magistrate, Karaikudi.

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

3. It appears that the complaint filed against the petitioner has been quashed in S.C.No.103 of 2014. At the time of getting anticipatory bail, the petitioner had deposited a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.489 of 2013. Seeking return of the said amount, the petitioner filed a petition before the learned Judicial



Magistrate, Karaikudi, but the petition was returned on the ground that the petition is not maintainable.

4. When the case itself has been closed, the petitioner cannot be denied the amount deposited by him earlier in point of time, at the time of seeking anticipatory bail. As such, the learned Judicial Magistrate, Karaikudi is directed to return the amount of Rs.1,00,000/- (Rupees One Lakh only) to the petitioner deposited in Crime No.489 of 2013 on proper acknowledgment.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate,
Karaikudi.
- 2.The Assistant Sessions Judge,
Devakkottai.
- 3.The Inspector of Police,
Karaikudi North Police Station,
Karaikudi,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/s.E.M.S.N.Law Associates, SR.No. 34901

Cr1.O.P(MD)No.11650 of 2015
30.06.2015

ps

PA/IV/03.07.2015/2P/6C (IT)