

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.24402 of 2016

S.Vasuki

...Petitioner

Vs.

State by

The Inspector of Police
CBCID, Villupuram Police Station,
Villupuram, Villupuram District.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to modify the order dated 26.04.2016 passed in C.M.P.No.575 of 2016 on the file of the Chief Judicial Magistrate, Villupuram, Villupuram District in so far relates to the condition imposed in the order for production of the car in every 1st working day of every month until further orders.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to modify the condition dated 26.04.2016 passed in C.M.P.No.575 of 2016 on the file of the Chief Judicial Magistrate Court, Villupuram, Villupuram District insofar as it relates to the condition imposed in the order for production of the car on 1st working day of every month until further orders.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. Today, Mr.M.Kumara Raja, Sub-Inspector of Police, CBCID, Villupuram District is present.

4. The petitioner is an accused in Crime No.1 of 2016 for offences under Sections 420, 384, 306 IPC r/w Section 4(b) of Tamil Nadu Prohibition of Harassment of Women Act, 1998. During investigation, the police has seized the SKODA RAPID Car belonging to the petitioner. The petitioner filed an application in C.M.P.No.575 of 2016 before the Chief Judicial

Magistrate, Villupuram under Section 451 Cr.P.C for return of the car. The Chief Judicial Magistrate, Villupuram returned the car by order dated 26.04.2016 on certain conditions, one of which, is that the petitioner should produce the car on the first working day of every month before the Chief Judicial Magistrate, Villupuram, aggrieved by which, the petitioner is before this Court.

5. The learned counsel appearing for the petitioner himself submitted that the petitioner has filed a petition before this Court for transferring the case to the CBI for investigation and that the said petition is pending.

6. In view of the above, in the interest of justice, Condition No.4 is modified to the effect that the petitioner shall produce the car on the first working day of every three months before the Chief Judicial Magistrate, Villupuram. Rest of the conditions imposed by the Chief Judicial Magistrate, Villupuram shall remain the same.

With the above modification, this petition is ordered.

Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

To

1. The Chief Judicial Magistrate,
Villupuram.
2. The Inspector of Police
CBCID, Villupuram Police Station,
3. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Prakasam,advocate,sr.68010.

nr(co)
krd 16/12

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