



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

C.R.L.RC(MD) No.371 of 2016

WEB COPY

Chandramohan

... Petitioner/Petitioner/3rd Party

-vs-

State, rep.by the Inspector of Police

Vadipatti Police Station

Vadipatti, Madurai District

(Crime No.531 / 2015) ... Respondent/ Respondent/Complainant

PRAYER: Criminal Revision Petition is filed, under Section 397 r/w 401 Cr.P.C., to call for the records of the learned District Munsif-cum-Judicial Magistrate, Vadipatti, Madurai District, in Cr.M.P.No.2255 of 2016, dated 11.03.2016, and set aside the same.

For Petitioner: Mr.D.Ramesh Kumar

For Respondent: Mrs.S.Prabha

Govt.Advocate (Crl.Side)

O R D E R

A registered owner of the vehicle, who is a third party, is before this Court, since certain conditions in the impugned order, imposed by the learned Judicial Magistrate, Vadipatti, are onerous.

2. The revision petitioner is not an accused. He is a registered owner of the vehicle. It is stated that without his knowledge, his Car has been used in the commission of the offence.

3. The learned Magistrate ordered return of vehicle imposing several conditions. R.C.Book is an important vehicle document. It is necessary for payment of Road Tax, Insurance, Renewal etc. Without R.C.Book, if the vehicle is plied on road, problem may arise. So, Condition No.3 is not necessary. Some of the conditions are onerous in nature.

4. Ordered as under:

- i. Condition No.2 is modified to the effect that the revision petitioner will execute a personal bond for Rs.8,00,000/- (Rupees eight lakhs only). It is made clear that no property document, Solvency Certificate from Tahsildar or surety shall be insisted upon.

- ii. Condition No.3 is deleted.



iii. With regard to Condition No.5, if some major repair has to be carried out to maintain the vehicle, liberty is given to the petitioner to approach the learned Judicial Magistrate, Vadipatti, to seek leave and if such a petition is filed the learned Magistrate shall pass appropriate orders.

5. Accordingly, this criminal revision petition is disposed of.

Sd-
Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar

To:

1. The District Munsif cum Judicial Magistrate, Vadipatti,
Madurai District.

2.The Judicial Magistrate, Vadipatti.

3. The Inspector of Police,
Vadipatti Police Station
Vadipatti, Madurai District.

4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.D.RAMESHKUMAR ADVOCATE IN SR NO: 29896
KRK

JA-SKS-RR/17.6.2016/2P-6C

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