



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2016

WEB COPY

CORAM:

THE HONOURABLE MR. JUSTICE A.M. BASHEER AHAMED

Cr1.RC(MD)No.656 of 2016

Deiveeswari : Petitioner

Vs.

State through
The Inspector of Police,
Economic Offences Wing - II,
Tirunelveli
(Cr.No.1 of 2013 on the file of the
E.O.W.-II, Tirunelveli) : Respondent

Prayer: Revision is filed under Section 397 r/w 401 of Cr.P.C., praying to call for the records pertaining to the order passed by the learned Special Judge for the TNPID Act Cases, Madurai, passed in Cr.M.P.No.2612 of 2015, dated 11.08.2016 and set aside the same in the interest of Justice, and further pass order relaxing the condition of producing the above vehicle which is at present once in a month, to be produced as and when required.

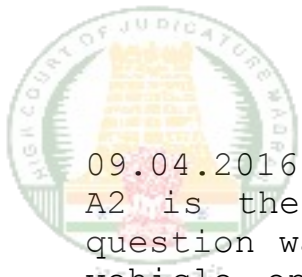
For Petitioners : Mr.S.Ghouse Yacoob Hussain
For Respondent : Mr.Kandasamy
Govt.Advocate (crl.side)

ORDER

This Criminal Revision Case has been filed praying to call for the records pertaining to the order passed by the learned Special Judge for the TNPID Act Cases, Madurai, in Cr.M.P.No.2612 of 2015, dated 11.08.2016 and set aside the same and further relax the condition of producing the vehicle, which is at present once in a month, to be produced as and when required.

2. The Court heard the submission of Mr.S.Ghouse Yacoob Hussain, the learned counsel appearing for the petitioner and Mr.P.Kandasamy, the learned Government Advocate (crl.side), for the respondent and perused the materials available on record.

3. On perusal of the records would show that the owner of
<https://hcservices.ecourts.gov.in/hcservices/> z. TATA Indica Vista Car, bearing Registration
No.TN-42-D-5670 was one K.C.Ravichandran / A1, who died on



09.04.2016, during pendency of the proceedings. The petitioner / A2 is the wife of A1. The interim custody of the vehicle in question was given to A1, on condition that he has to produce the vehicle once in a month, before the learned Special Judge for TNPID Act Cases, Madurai, without any default. Now, the petitioner wants to relax the aforesaid condition, as wife of deceased A1 and also co-accused in this case.

4. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (crl.side) that he has no objection for modification of the condition, I am inclined to set aside the order passed in Cr.M.P.No.2612 of 2015, dated 11.08.2016 and permit the petitioner, as one of the legal heirs of the deceased husband, to produce the said vehicle in question before the Court concerned, once in three months, without fail, after execution of a bond for the value to the satisfaction of the learned Special Judge for TNPID Act Cases, Madurai, with one surety and on conditions to be imposed by the Court concerned.

5. In the result, this Criminal Revision Case stands allowed.

Sd/
Assistant Registrar(Crl.Side)

/TRUE COPY/

Sub Assistant Registrar

To

1. Special Judge for the TNPID Act Cases, Madurai.
 2. The Inspector of Police, Economic Offences Wing - II,
Tirunelveli
 3. The Addl.Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/s.S.Ghouse Yacoob Hussain, Advocate, in SR No.67620.

Order made in
Crl.RC(MD)No.656 of 2016
Dated:-09.11.2016

MPK
am/sk-skn/sar3/10.11.16/p2/5c(IT)