

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.7298 of 2017

P.Anbalagan

[Petitioner]

Vs

The State rep.by
Inspector of Police,
Kodumudi Police Station,
Erode District.
Crime No.270 of 2016.

[Respondent]

Petition filed under Section 482 of the Criminal Procedure Code, to modify the fifth condition imposed in the order dated 21.11.2016 in Crl.M.P.No.2854 of 2016 on the file of the learned District Munsif cum Judicial Magistrate, Kodumudi.

For Petitioner : Mr.M.Guruprasad

For Respondent : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

By the impugned order dated 21.11.2016 in Crl.M.P.No.2854 of 2016 in Crime No.270 of 2016, the learned District Munsif-cum-Judicial Magistrate, Kodumudi, ordered return of the tipper lorry bearing Registration No.TN-63-AX-9536, to the petitioner on certain conditions. The said lorry was seized on the ground that it was used for transporting gravel sand illegally. One of the conditions imposed for return of the vehicle, is that the petitioner has to produce the vehicle before the Court on the first Monday of every month. Now the present petition has been filed to issue a direction to modify the said condition.

2.Mr.C.Emalias, learned Additional Public Prosecutor, took notice for the respondent.

3.Heard both the sides.

4.Considering the facts and circumstances of the case, the condition imposed by the learned District Munsif-cum-Judicial Magistrate, Kodumudi, in the order made in CrI.M.P.No.2854 of 2016 in Crime No.270 of 2016 dated 21.11.2016, in respect of producing the vehicle on the first Monday of every month, only is modified to the effect that the petitioner shall produce the vehicle before the Trial Court as and when required. Rest of the conditions imposed by the Trial Court shall remain unaltered.

5.This petition is ordered accordingly.

-s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
Kodumudi Police Station,
Erode District.
2. The District Munsif-cum-Judicial Magistrate,
Kodumudi.
3. The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1 CC to Mr. M. Guruprasad, Advocate sr 22991

सत्यमेव जयते

CrI.O.P.No.7298 of 2017

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