IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2017

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

Crl. Revision Case No.634 of 2017

X. Johnson ... Petitioner/A6

//vs//

State rep. by
The Inspector of Police,
Kodungaiyur Police Station,
Chennai,
Cr. No.113 of 2017. ... Respondent/Complainant

Prayer: Criminal Revision Petition filed under Section 397 read with 401 of the Code of Criminal Procedure praying to call for the records and set aside the condition No.1 imposed in Crl.M.P.No.760 of 2017 on the file of the V Metropolitan Magistrate, Egmore at Chennai dated 03.04.2017.

For Petitioner : Mr.V.Elangovan

For Respondent : Mr.R.Ravichandran
Government Advocate (Crl.Side)

ORDER

This revision has been filed challenging the order passed by the learned V Metropolitan Magistrate, Allikulam Complex, Moore Market, Chennai in Crl.M.P.No.760 of 2017 dated 03.04.2017, imposed a condition directing the petitioner to execute a bond for a sum of Rupees 3 lakhs with two sureties each for the like sum.

2. The petitioner is an accused in a criminal case in Crime No.113 of 2017 on the file of the respondent police for an offence under Section 302 IPC and he is arrayed as A6. The petitioner is the owner of the Tata vehicle, which is involved in the above crime. Earlier the petitioner had filed an application, before the court below, sought for return of the vehicle and the court below allowed the application with conditions, and one of the conditions is that the petitioner should execute a bond for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) with two sureties each for the like sum.

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Challenging the above said condition, the petitioner has filed the present revision.

3. The learned counsel for the petitioner would submit that the petitioner is a poor man and he is not having any immovable properties worth about Rs.3,00,000/- and he is also not able to find any sureties for the like sum. In the above circumstances, even though the vehicle was directed to be released, he is not in a position to take the vehicle.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. side) appearing for the respondent and perused the materials available on record carefully.

5. Considering the above circumstances, the condition imposed by the court below is modified to the effect that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties each for a like sum. Except the above modification, all other conditions remain unaltered.

6. With the above said modification the criminal revision case is disposed of.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

mrp

To
1. The learned V Metropolitan Magistrate,
   Allikulam Complex,
   Moore Market, Chennai.

2. The Inspector of police,
   Kodungaiyur police station,
   chennai.

3. The public prosecutor,
   High Court, Madras.

+1cc to M/s S.Doraisamy, Sr.No.24244
+1cc to M/s V.Elangova, Sr.No.24117

Crl.R.C.No.634 of 2017

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