

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.8897 of 2017

Ganapathy

... Petitioner/Petitioner

Vs

The State, rep. By
Inspector of Police,
Sankarai Police Station,
Salem District.

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed in clause 1 of the order passed in CMP.No.4197 of 2015 in Crime No.150 of 2015 dated 17.06.2015 on the file of the learned Judicial Magistrate-I, Sankarai.

For Petitioner : Mr.T.N.Rangesh Kanna

For Respondent : Mr.M.Mohamed Riyaz
Government Advocate (Crl.side)

ORDER

The present criminal original petition has been filed seeking to modify the condition imposed on the petitioner in CMP.No.4197 of 2015 in Crime No.150 of 2015 dated 17.06.2015, by the learned Judicial Magistrate-I, Sankarai.

2. It is the case of the petitioner that he has filed a petition in CMP.No.4197 of 2015 before the learned Judicial Magistrate-I, Sankarai, seeking interim custody of the vehicle bearing Registration No.TN-34-S-3030 and the learned Judicial Magistrate-I, has allowed the petition on certain conditions. One of the conditions is that the petitioner shall execute a personal bond with two sureties each for a like sum of Rs.10,00,000/- and the petitioner shall also deposit the title deeds of the property worth of Rs.5,00,000/- before the court below. Now, seeking modification of the said order, the petitioner has come up with the present petition.

3. Learned counsel appearing for the petitioner submitted that the value of the vehicle itself would be around Rs.2,00,000/- and the vehicle had lost its market value as it had been seized in the year 2015 and exposed to sun and rain.

4. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioner.

5. Hence, the first condition imposed on the petitioner in CMP.No.4197 of 2015 dated 17.06.2015, by the learned Judicial Magistrate-I, Sankarai, is hereby modified as follows:-

" The petitioner shall execute a personal bond with two sureties each for a like sum of Rs.5,00,000/- (Rupees Five Lakhs Only) and the petitioner shall also produce the original R.C.Book of the vehicle before the court below".

The other conditions imposed by the learned Magistrate shall remain unaltered. The criminal original petition is ordered accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate-I,
Sankarai.

2.The Inspector of Police,
Sankarai Police Station,
Salem District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.N.Rangesh Kanna, Advocate Sr.39876

Cr1.O.P.No.8897 of 2017

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srg 15/06/2017