



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fifth day of June Two Thousand Seventeen

PRESENT

The Hon`ble Mrs.Justice J.NISHA BANU

CRL MP (MD) No.3625 of 2017
IN
CRL OP (MD) No.15011 of 2011

G.VINOTH

... PETITIONER/PETITIONER

Vs

THE STATE REP.BY,
THE ASSISTANT COMMISSIONER OF POLICE,
LAND GRABBING SPECIAL CELL,
C.C.B., TRICHY.
(CR.NO.27/2011)

... RESPONDENT/COMPLAINANT

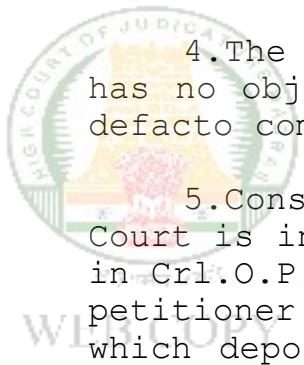
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to relax the conditions imposed in Crl.OP(MD)No.15011 of 2011 dated 21.11.2011 and to direct the Judicial Magistrate No.V, Trichy to refund the amount of Rs.25 lakhs to the petitioner.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.T.SENTHIL KUMAR, Advocate for the petitioner and of MR.A.RAMAR, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-

Heard both sides.

2.The learned counsel for the petitioner would submit that this Court, while granting anticipatory bail to the petitioner, imposed a condition to the effect that the petitioner shall deposit a sum of Rs.25,00,000/- (Rupees twenty Five lakhs only) to the credit in crime No.27 of 2011 on the file of the Court of Judicial Magistrate No.V, Trichy and accordingly, the petitioner deposited the same and released on anticipatory bail.

3.The learned counsel for the petitioner would further submit that the issue between the defacto complainant and the petitioner and the other accused has been compromised and the case against the petitioner and others are quashed by this Court vide order dated 23.03.2015 made in Crl.O.P.(MD) No.7496 of 2013. Therefore, the petitioner has come forward with this present petitioner to refund the amount of Rs.25 lakhs which was deposited by him as per order dated 21.11.2011 made in Crl.O.P.(MD) No.15011 of 2011.



4.The defacto complainant is present before this Court and he has no objection to refund the said amount to the petitioner. The defacto complainant to prove his identity produced his passport.

5.Considering the facts and circumstances of the case, this Court is inclined to allow the application and the condition imposed in Crl.O.P.(MD) No.15011 of 2011 dated 21.11.2011 is relaxed and the petitioner is permitted to refund the amount of Rs.25,00,000/-, which deposited by the petitioner to the credit in crime No.27 of 2011 on the file of the Court of Judicial Magistrate No.V, Trichy.

sd/-
05/06/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.V, TRICHY.
 - 2 THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
 - 3 THE ASSISTANT COMMISSIONER OF POLICE,
LAND GRABBING SPECIAL CELL,
C.C.B., TRICHY.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. C.C. to M/S.T.SENTHIL KUMAR Advocate SR.No.23177

ORDER
IN
CRL MP (MD) No.3625 of 2017
IN
CRL OP (MD) No.15011 of 2011
Date :05/06/2017

MKV-CM-MSA-SAR 1/7.6.2017/2P-6C