



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 07.12.2017
CORAM:
THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED
CrI.R.C. (MD) No.909 of 2017

WEB COPY

Selvam ... Petitioner/Petitioner/Custodian of Property

Vs.

1.Bose @ Channraboze,

2.Selvam

3.Raman ... Respondent No.1 to 3/Respondents No.1 to 3/Accused

4.State rep.by

The Inspector of Police,

Natham Police Station,

Cr.No.511 of 2017,

Dindigul District. ... 4th Respondent/4th Respondent/Complainant

PRAYER: The Petition filed under Section 397 r/w 401 of Cr.P.C. to call for the records of the learned District Munsif Cum Judicial Magistrate, Natham, Dindigul District by an order dated 13.11.2017 in Cr.M.P.No.2329 of 2017 in R.P.R.No.59 of 2017 directing the petitioner and higher officials for execution of bond for a sum of Rs.17,78,640/- and set aside the condition alone by allowing the Revision Petition.

For Petitioner : Mr.V.P.Rajan

For Respondent No.4 : Mr.C.Mayilvahana Rajendren, APP.

ORDER

This Criminal Revision Case has been filed to set aside the order dated 13.11.2017 in Cr.M.P.No.2329 of 2017 in R.P.R.No.59 of 2017 passed by the learned District Munsif Cum Judicial Magistrate, Natham, Dindigul District, directing the petitioner and higher officials for execution of bond for a sum of Rs.17,78,640/-.

2.The learned counsel for the petitioner is present. Mr.C.Mayilvahana Rajendren, learned Additional Public Prosecutor takes notice for the 4th respondent herein. Heard this Criminal Revision case at the admission stage itself by consent on either side.

3.The petitioner herein is the Supervisor in a TASMACH shop and he has filed a petition in Cr.M.P.No.2329 of 2017 before the learned District Munsif Cum Judicial Magistrate, Natham for seeking interim custody of 358 boxes containing 11,124 bottles of liquor as referred in the case in Crime No.511 of 2017, registered



by the respondent Police. The said petition was ordered by the Trial Court by directing the petitioner and also SO of the concerned TASMAL to execute bond for a sum of Rs.17,78,640/-.

4.The learned counsel for the petitioner submitted that the said items were sent to the learned Judicial Magistrate concerned and the petitioner has produced the invoice of purchasing the said liquor bottles before the Court below and hence, the seized liquor bottles are belonging to the TASMAL, which is run by the Government. The Court below has ordered to execute personal bond by officials of the TASMAL and the petitioner has prepared to execute a bond for a sum of Rs.17,78,640/- as ordered by the Court below. The higher officials were also directed to execute the special bond for the said amount.

5.The learned Additional Public Prosecutor appearing for the 4th respondent would submit that he has no objection to modify the condition by deleting the higher officials to execute the personal bond for a sum of Rs.17,78,640/-.

6.Considering the facts and circumstances of the case and also the execution of bond by the higher officials of the TASMAL along with the petitioner is onerous one and hence, the petitioner alone is directed to execute the personal bond for a sum of Rs.17,78,640/- before the Magistrate concerned. Accordingly, this Criminal Revision Case is allowed.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

- 1 The District Munsif Cum Judicial Magistrate,
Natham, Dindigul District.
 - 2 The Inspector of Police,
Natham Police Station,
Dindigul District.
 - 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1cc to M/S.V.P.Rajan, Advocate SR.No. 91380

Cr1.R.C. (MD) No.909 of 2017

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