

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2018

CORAM:

THE HON'BLE MR.JUSTICE M.V.MURALIDARAN

Crl.R.C.No.95 of 2018

Muhammed Nijabudeen

.. Petitioner

Vs.

State rep.by the Inspector of Police,
Vedaranyam Police Station

.. Respondent

Criminal Revision filed under Section 397 r/w 401 of Cr.P.C.to relax the conditions viz., 2 and 4 of the conditions imposed by the learned District Munsif cum Judicial Magistrate, Vedaranyam, Thiruvavur viz., i) He should produce the original R.C.Book and the photographs of the vehicle showing the vehicle colour, Reg.No.and the vehicle in all direction and iv The petitioner should produce the vehicle before this Court first working day of every month until further orders, by setting aside the order in Crl.M.P.No.5318 of 2017 dated 13.12.2017 on the file of the learned District Munsif Cum Judicial Magistrate, Vedaranyam, Thiruvavur.

For Petitioner : M/s.M.Vijayakumaran

For respondent : Mr.G.Ramar
Govt.Advocate (Crl.side)

O R D E R

This revision has been filed to to relax the conditions viz., 2 and 4 of the conditions imposed by the learned District Munsif cum Judicial Magistrate, Vedaranyam, Thiruvavur viz., ii) He should produce the original R.C.Book and the photographs of the vehicle showing the vehicle colour, Reg.Number and the vehicle and iv) The petitioner should produce the vehicle before this Court first working day of every month until further orders and set aside the order in Crl.M.P.No.5318 of 2017 dated 13.12.2017.

2. It appears from the records that the learned District Munsif-cum-Judicial Magistrate,Vedaranyam, while granting the order in Crl.M.P.No.3510 of 2017 dated 25.07.2017, it has been held as follows:

1.The petitioner should execute a bond of Rs.7,00,000/- along with one surety for the like sum. The surety should produce the solvency certificate.

2. He should produce the original R.C.Book and the photographs of the vehicle showing the vehicle colour, Reg.No.and the vehicle in all directions.

3. The petitioner shall not transfer, alienate, encumber, alter or dispose the vehicle in any manner pending disposal of the case.

4. The petitioner should produce the vehicle before this Court first working day of every month until further orders.

3. The learned counsel for the petitioner would submit that the petitioner has filed the petition in Crl.M.P.No.5318 of 2017 on the file of the learned District Munsif cum Judicial Magistrate, Vedaranyam, for relaxing the conditions 2 and 4 by accepting the Xerox copy of the R.C.Book and return the original to the petitioner, since the petitioner is in need of R.C.Book for getting insurance and the same was dismissed by the trial Court. Hence the petitioner has filed the present criminal revision before this Court.

4. The learned Government Advocate (Crl.side) vehemently opposed this petition stating that that the learned District Munsif cum Judicial Magistrate, Vedaranyam, imposed a condition, which does not requires any modification.

5. Considering the rival submission and upon perusing the records placed before this Court, it is an admitted fact that the petitioner has already complied the conditions 1 and 3 and there is no necessity for producing the original R.C.Book and the petitioner is directed to produce the vehicle as and when required by the Court below.

6. With the above modifications, this criminal revision is allowed . The conditions imposed by the trial court 1 and 3 remains unaltered.

Sd/-

Asst.Registrar (CS IX)

/true copy/

Sub Asst. Registrar

kkd

To

1.The Inspector of Police,
Vedaranyam Police Station, Thiruvarur.

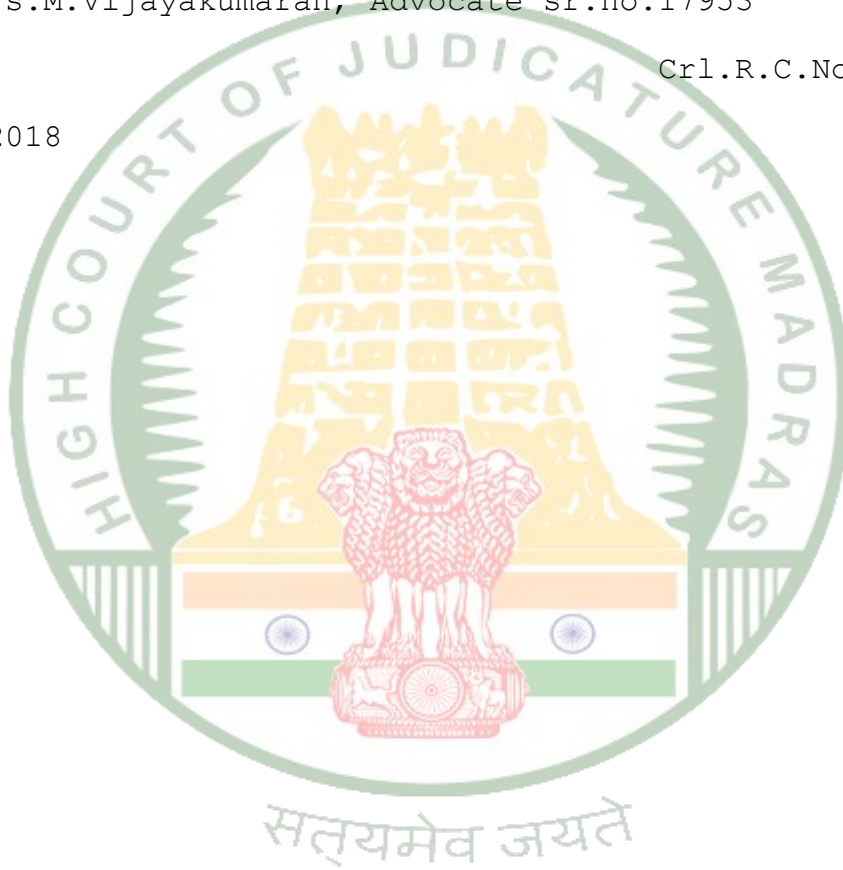
2. The District Munsif cum Judicial Magistrate,
Vedaranyam, Thiruvarur.

3.The Public Prosecutor,
High Court, Madras.

+lcc to M/s.M.Vijayakumaran, Advocate sr.no.17953

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