

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.11.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.25545 of 2018

V.Kiruthika

.. Petitioner

Vs

State rep. By,
The Inspector of Police,
Kangayam Police Station.

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to set aside one of the condition "(VI). Condition to produce the Car at 10.00 AM on every 1st and 16th day of every month until further orders" imposed in Cr.M.P.No.2146 of 2018 on the file of Judicial Magistrate, Kangayam dated 27.08.2018.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondent : Ms.M.Prabhavathi,
Additional Public Prosecutor.

O R D E R

This petition is filed praying for to set aside one of the condition "(VI).Condition to produce the Car at 10.00 AM on every 1st and 16th day of every month until further orders" imposed in Cr.M.P.No.2146 of 2018 on the file of Judicial Magistrate, Kangayam dated 27.08.2018.

2.It is the case of the prosecution that the accused in Kangayam Police Station Crime No.521 of 2017 had used a car bearing Reg.No.TN-41-AC-1212 for commission of the offence under Sections 120(B), 147, 148, 365, 387, 324, 341 & 323 IPC. The car was recovered by the police and was produced before the Judicial Magistrate, Kangayam. The petitioner filed Crl.M.P.No.2146 of 2018 under Section 451 of Cr.P.C for interim custody of the said car, which has been allowed by the learned Judicial Magistrate, Kangayam on 27.08.2018 on certain conditions, one of which is that the petitioner has been directed to produce the car on the 1st and 16th of every month at 10.00 a.m. Aggrieved by the said condition, the petitioner is before this Court.

3.Heard the learned counsel for the petitioner who submitted that undue prejudice will be caused to the petitioner if he is asked to produce the car twice a month.

4.Taking into consideration the facts and circumstances of the case, this Court modifies the said condition to the effect that it is suffice if the petitioner produces the car at 10 a.m on the 1st working day of every month before the Judicial Magistrate, Kangayam, until further orders of the Magistrate.

With the above modification, this petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kkn/gsa

To

1.The Judicial Magistrate,
Kangayam.

2.The Inspector of Police,
Kangayam Police Station.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.76010

CRL.O.P.No.25545 of 2018

SSD(CO)

rrs 23/11/2018