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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.16463 of 2019

B.Shanmugasundaram

..... Petitioner/Accused

Vs.

The Superintendent of Customs,
Special Investigation and Intelligence Branch,
Custom House, Chennai 600 001

... Respondent

Common Prayer: Criminal Original Petition has been filed to return of original Sale Deed documents No.1076 of 1990 retained in R.R.No.14 of 2019 in F.S.Misc 101/2019 - SIIB by the Additional Chief Metropolitan Magistrate II, Egmore, Chennai by replacing the certified copy of sale Deeds by the Sub-Registrar.

For Petitioner : Mr.N.Elayaraja

For Respondents : Mr.N.P.Kumar
Special Public Prosecutor

ORDER

This petition has been filed to permit one of the surety to take back the original sale deed, which was deposited before the Court below at the time of furnishing sureties.

2. This Court granted bail to the petitioner by order dated 23.04.2019. While granting bail, certain conditions were imposed. One of the condition was that the petitioner should execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum.

3. The petitioner complied with the condition and one of the surety was his wife and other surety was his relative. Both of them had deposited the original title document before the Court below.



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4. The learned counsel for the petitioner submitted that the relative wants to take back the original document and therefore, this petition has been filed seeking for permission to take one of the original document that has been deposited by one of the surety.

5. Mr.N.P.Kumar, learned Special Public prosecutor appearing for the respondent submitted that if this Court is inclined to grant such a permission, the concerned surety must be directed to deposit a sum of Rs.10,000/- and thereafter, take back the original document.

6. Taking into consideration the facts and circumstances of the case, the relief sought for by the petitioner is granted, subject to the condition that the surety shall deposit a sum of Rs.10,000/- before the Court below and the Court below on receipt of the amount, shall return back the Original document that was deposited by the surety.

7. This Criminal Original petition is disposed of with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rka

To

1. The Additional Chief Metropolitan Magistrate II, Egmore, Chennai.

2.The Superintendent of Customs,
Special Investigation and Intelligence Branch,
Custom House, Chennai 600 001

+1cc to Mr.N.Elayaraja, Advocate sr.61096

Cr1.O.P.No.16463 of 2019

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nr 21/08/2019