

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2019

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22886 of 2019

Anitha

... Petitioner/Accused

Vs.

The State Represented by,
The Inspector of Police,
Thiruninravur Police Station,
Chennai.

(Crime No.651 of 2019)

... Respondent/Complainant

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition that the petitioner shall deposit sum of Rs.5,000/- for tractor and trailer bearing Reg No. TN 12 F 7146 in to the credit of Crime No.651 of 2019 on the file of Thiruninravur Police Station before the concerned Magistrate instead of Rs.50,000/- in the order passed on 09.08.2019 in Crl.M.P.No.3743 of 2019, on the file of Principal District and Sessions Court at Thiruvallur.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

ORDER

This petition has been filed seeking to modify the condition imposed by the Court below while allowing the petition filed by the petitioner for return of vehicle.

2. The petitioner is the owner of the vehicle and she has also been shown as accused in the FIR registered in Crime No.651 of 2019 for the offences under Sections 379, 430 and 511 of IPC. The vehicle was seized by the respondent police during the course of investigation.

3. The petitioner filed a petition for return of vehicle and the Court below directed the vehicle to be returned by imposing certain conditions. The petitioner is aggrieved by Condition No.4 imposed by the Court below, wherein the petitioner was directed to deposit a sum of Rs.50,000/- as non-refundable

deposit.

4. The learned counsel for the petitioner submitted that the above said condition is onerous and the petitioner has already been directed to execute a bond for a sum of Rs.3,00,000/- with two sureties for a like sum. Therefore, the learned counsel submitted that the condition directing the petitioner to deposit a sum of Rs.50,000/- is not warranted in the facts of the present case.

5. Heard, the learned Additional Public Prosecutor on behalf of the respondent police.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to interfere with condition No.4 imposed by the Court below and the same is set-aside. The other conditions imposed by the Court below shall stand as it is.

7. This Criminal Original Petition is disposed of with the above direction.

s/d-

Assistant Registrar (CS VI)

True Copy

Sub-Assistant Registrar

ssr

To

1. The Principal District and Sessions Court,
Thiruvallur
2. The Inspector of Police,
Thiruninravur Police Station,
Chennai.
3. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.T.Muruganantham, advocate sr 72886.

NRJK(CO)
SP(29/08/2019)

Cr1.O.P.No.22886 of 2019