



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.2892 of 2020

Srinivasan

... Petitioner

Vs.

State by:

The Inspector of Police,
CSCID Police Station,
Krishnagiri District.
(Crime No.120 of 2019)

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C. to modify the conditional order to the petitioner shall deposit of Rs.30,000/- conditional order passed by the learned Sessions Judge, Krishnagiri in Crl.M.P.No.14 of 2020 dated 04.01.2020 in Crime No.120 of 2020 on the file of the respondent police.

For Petitioner: Mr.M.Jayachandran

For Respondent: Mr.S.Thankira

Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed to modify the condition imposed in Crl.M.P.No.14 of 2020 dated 04.01.2020 on the file of the learned Sessions Judge, Krishnagiri there by imposed the condition that the petitioner is directed to deposit a sum of Rs.30,000/- before the Judicial Magistrate-I, Krishnagiri in concerned crime number.

2. The case of the prosecution is that the petitioner had transported 5130 kgs of ration rice illegally by using TATA 407 vehicle bearing Registration No.TN-23-P-0507. Hence, a case was registered in Crime No.120 of 2020 for the offences punishable under Sections 6(4) of TNSC (RDCS) Order 1982 r/w 7(i)(a)(ii) of EC Act, 1955.

3. The learned counsel for the petitioner submitted that he is the driver of the vehicle and poor family and having two children and he filed a petition in Crl.M.P.No.14 of 2020 dated



04.01.2020 on the file of the learned Sessions Judge, Krishnagiri there by imposed the condition that the petitioner is directed to deposit a sum of Rs.30,000/- before the Judicial Magistrate-I, Krishnagiri in concerned crime number. The petitioner finds that the deposit amount imposed by the Court below is exorbitant and hence, he prays to modify the above said condition.

4.Per contra, the learned Government Advocate (Criminal Side) would submit that the petitioner has committed very serious offence and hence the learned Magistrate has rightly imposed the above said condition.

5. Taking into consideration, the facts and circumstances of the case and also the fact that the condition imposed on the petitioner by the court below was very reasonable and hence this Criminal Original Petition is dismissed.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

msrm/ssn

To

1. The Sessions Judge,,
Krishnagiri.

2. The Inspector of Police,
CSCID Police Station,
Krishnagiri District.

3.The Judicial Magistrate
Krishnagiri

Cr1.O.P.No.2892 of 2020

NRL(CO)
SP(03/03/2020)