



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 17.06.2020
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.8868 of 2020

Loganathan

... Petitioner/owner
of the vehicle

Vs.

1. State Represented by
Inspector of Police,
Mohanur Police Station,
Namakkal District.

2. The Assistant Director,
Mines and Minerals Department,
Collector Office Complex,
Namakkal District.

3. The Tahsildar,
Mohanur,
Namakkal District.

... Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying, to modify the condition imposed by the learned Principal Sessions Judge, Namakkal, order dated 11.03.2020 made in C.M.P.No.226 of 2020 Viz"(i) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) before the Jurisdictional Tahsildar as non-refundable deposit. After receipt of the above said amount, the same will have to be deposited by the Tahsildar, to the credit of the District Mines and Minerals Foundation Trust as non-refundable deposit."

For Petitioner : Mr.W.Camyles Gandhi

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This petition has been filed seeking to modify the condition imposed by the learned Principal Sessions Judge, Namakkal, order dated 11.03.2020 made in C.M.P.No.226 of 2020 viz., "(i) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) before the Jurisdictional Tahsildar as



non-refundable deposit. After receipt of the above said amount, the same will have to be deposited by the Tahsildar, to the credit of the District Mines and Minerals Foundation Trust as non-refundable deposit."

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2. The Court below considering the facts and circumstances of the case imposed a condition that the petitioner will have to deposit a sum of Rs.1,00,000/- before the Jurisdictional Tahsildar as non-refundable deposit. After deposited by the Tahsildar, to the credit of the District Mines and Minerals Foundation Trust as non-refundable deposit.

3. Heard Mr.W.Camyles Gandhi, learned counsel for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing on behalf of the respondents.

4. The learned Counsel for the petitioner submitted that the condition imposed by the Court below is onerous and the petitioner is not in a position to comply with the condition due to his financial constraints.

5. Taking into consideration the facts and circumstances of the case, the order of the Court below is modified and the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) before the Jurisdictional Tahsildar as non-refundable deposit. After deposited by the Tahsildar, to the credit of the District Mines and Minerals Foundation Trust as non-refundable deposit. Except the above modification, the other conditions imposed by the Court below shall stand as it is.

6. Accordingly, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

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To

1. The Principal Sessions Judge, Namakkal.



2. The Assistant Director,
Mines and Minerals Department,
Collector Office Complex,
Namakkal District.

3. The Tahsildar,
Mohanur,
Namakkal District.

4. The Inspector of Police,
Mohanur Police Station,
Namakkal District.

5. The Public Prosecutor, High Court, Madras.

CRL.O.P.No.8868 of 2020

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