

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9138 of 2020

Baskar,
S/o.Muthu,
Thenguperumalpalayam,
Vengarai Post,
Paramathy Velur Taluk,
Namakkal District.

... Petitioner

Vs

The State represented by
The Inspector of Police,
Velur Police Station,
Namakkal District.
(Crime No. 97 of 2020)

... Respondent

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 15.06.2020 made in C.M.P.No.652 of 2020 "(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 Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

The petitioner filed this petition to modify the condition imposed by the learned Principal Sessions Judge in Crl.M.P.No.652 of 2020 on 15.06.2020 that the 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.

2. The learned counsel appearing for the petitioner submitted that the petitioner's vehicle is small one and its

capacity is only ½ unit. It is very difficult to deposit the huge amount of Rs.1,00,000/- to release the vehicle. The said vehicle is the prime source cater the livelihood of his family and due to the present situation of lockdown imposed for Curb COVID-19, the Petitioner is also not financially sound and even he is obtaining hand loan for leading his day to day life. Hence, prayed to modify the condition imposed in C.M.P.No.652 of 2020 dated 15.06.2020.

3. The learned Additional Public Prosecutor (Crl.Side) appearing for the State submitted that the petitioner is complying with the conditions regularly imposed by the Court below.

4. Considering the facts and circumstances of the case, the condition (i) already imposed on the petitioner is modified as "the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand 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". The other conditions imposed by the Court below shall remain unaltered. This petition is ordered accordingly.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge,
Namakkal.

2. The Inspector of Police,
Velur Police Station,
Namakkal District.

3.The Tahsildar,
Namakkal.

4.The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.9138 of 2020

SSI(CO)
RMP(23/07/2020)