

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 10921 of 2020

Madhesh

... Petitioner

Vs.

State represented by
Inspector of Police,
Velur Police Station,
Namakkal District.
(Crime No.564 of 2019)

... 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 23.03.2020 made in C.M.P. No.384 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 District Mines and Minerals Foundation Trust as non-refundable deposit'.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for modification of condition imposed in C.M.P. No.384 of 2020, dated 23.03.2020 on the file of the Principal Sessions Judge, Namakkal.

2. The learned counsel appearing for petitioner would submit that the petitioner's vehicle was in a very damaged condition, but the court below without considering the value and capacity factor of the vehicle had imposed a condition to deposit a sum of Rs.1,00,000/- before the jurisdictional Tahsildar as non-refundable deposit. He would further submit that due to the present situation of lock down imposed for curb Covid-19, the petitioner is not able to comply the condition. Hence, he prays to modify the condition imposed by the court below.

3. It is seen that on considering the nature of allegation and also the nature of the use of the vehicle, the court below has rightly imposed the condition to deposit of a sum of Rs.1,00,000/- before the jurisdictional Tahsildar as non-refundable deposit. Therefore, this Court is not inclined to modify the condition imposed by the learned Principal Sessions Judge, Namakkal. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

rpp

To

1. Inspector of Police,
Velur Police Station,
Namakkal District.
2. The Public Prosecutor,
High Court of Madras, Chennai.
3. The Principal Sessions Judge,
Namakkal.

CRL.O.P. No. 10921 of 2020

RSV (CO)
GMY (10/09/2020)

सत्यमेव जयते

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