

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.13158 of 2020

Karthick

... Petitioner

Vs.

State Rep by its
The Sub-Inspector of Police
Velur Police Station
Namakkal.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to modify the condition imposed in Crl.M.P.No.656 of 2020 dated 15.06.2020 on the file of the Principal Sessions Judge, Namakkal, by allowing the present criminal original petition.

For Petitioner : Mr.Deepanuday

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

O R D E R

The Criminal Original Petition has been filed to modify the condition imposed in Crl.M.P.No.656 of 2020 dated 15.06.2020 on the file of the Principal Sessions Judge, Namakkal, by allowing the present criminal original petition.

2.The learned counsel for the petitioner would submit that the vehicle was purchased through the loan obtained from the financial institution. The original Registration Certificate of the vehicle was lying in the hands of the financial institution. Therefore the petitioner could not be able to produce the same before the concerned Court and also due to Covid-19 pandemic, the petitioner herein could not be able to deposit a sum of Rs.1,00,000/- before the Jurisdictional Tahsildar as non-refundable deposit. Therefore, he sought for modification of the conditions (i) and (vi) imposed by the Principal Sessions Judge, Namakkal, in C.M.P.No.656 of 2020 dated 15.06.2020.

3.The learned Additional Public Prosecutor would submit that the vehicle bearing Registration No.TN-60-K-3512 was seized

in pursuant to the Crime No.538 of 2020 on the file of the Velur Police Station. If the vehicle is handed over to the petitioner, who is the owner of the vehicle, he may indulge in the same kind of offence and there is a chance of altering the vehicle. Therefore, he sought for dismissal of the Criminal Original Petition.

4.It is seen that the vehicle bearing Registration No. TN-60-K-3512 was seized by the respondent police in connection with Crime No.538 of 2020. The learned Principal Sessions Judge, Namakkal, in C.M.P.No.656 of 2020 dated 15.06.2020 allowed the petitioner to take possession of his vehicle with some conditions. In which the petitioner herein sought for modification of condition Nos.(i) and (vi).

(i)In so far as the condition No.(i), this Court is not inclined to modify the same and the petitioner is directed to deposit the amount of Rs.1,00,000/- (Rupees One Lakh Only) within a period of two weeks from the date of receipt of a copy of this order;

(ii)as far as the condition No.(vi) is concerned, the petitioner shall produce the copy of the Registration Certificate duly attested by the authorized person of the financial institution and further directed to produce the same before the Court concerned.

5.All other conditions remains unaltered.

6.With the above modification, the Criminal Original Petition is ordered.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge, Namakkal.

2.The Sub-Inspector of Police
Velur Police Station
Namakkal.

3.The Public Prosecutor
High Court of Madras.

CrI.O.P.No.13158 of 2020

LN(CO)
GN(07/10/2020)