

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CRL.O.P.No.17303 of 2020

Govindaraj,
S/o.Ponnandi,
No.1/308, Kodiur Village,
Bethalalpalli Post,
Krishnagiri Taluk & District. Petitioner

Vs.

The State Rep by
The Inspector of Police,
Krishnagiri Taluk Police Station,
Krishnagiri District. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to extend the time granted by the learned Principal Sessions Judge, Krishnagiri, Krishnagiri District in Crl.M.P.No.1671 of 2020 dated 17.08.2020.

For Petitioner : Mr.E.Kannadasan

For Respondent : Mrs.M.Prabhavathi
Additional Public Prosecutor

ORDER

This petition has been filed seeking the relief to extend the time granted by the learned Principal Sessions Judge, Krishnagiri, for complying the conditions made in Crl.M.P.No.1671 of 2020 dated 17.08.2020.

2. The petitioner herein is the owner of the property viz., Mini Tipper Lorry, which has been recovered in connection with Crime No.471 of 2019 on the file of the respondent Police. On 17.08.2020, while at the time of entertaining the petition in Crl.M.P.No.1671 of 2020, which filed by the petitioner under Section 451 of Cr.P.C., the learned Principal Sessions Judge, Krishnagiri, allowed the same subject to the following conditions:-

"i) The petitioner is hereby ordered to deposit a sum of Rs.25,000/- to the credit of the "Chief Educational Officer, Krishnagiri", on or before 31.08.2020 as non-refundable deposit and produce the receipt before the Judicial Magistrate-II, Krishnagiri. On such deposit, the Chief Educational Officer, Krishnagiri shall utilise the deposited amount only for renovation of Government Schools.

ii) The petitioner shall execute a bond for a sum of Rs.2,00,000/-with two sureties for a like sum each to the satisfaction of the above said Judicial Magistrate.

iii) The petitioner shall surrender the original Registration Certificate and photos taken in two angles pertaining to the vehicle Mini Tipper Lorry bearing registration No.TN-57-5566 before this Court.

iv) The petitioner shall not sell or hypothecate the vehicle in any manner till the disposal of this case.

v) The petitioner shall not change the physical features of the vehicle.

vi) the petitioner shall produce the vehicle on every first working day of every succeeding month before this Court and he has to produce the vehicle as and whenever required during trial."

Thereafter due to inability, not complying the said conditions, the petitioner is before this Court with the present original petition for extension the time.

3. Today, when this petition is taken up for hearing, the learned counsel appearing for the petitioner would fairly submit that before filing this petition, the petitioner herein has not filed any petition before the learned Principal Sessions Judge, Krishnagiri for extension of time. Accordingly, approaching this Court directly by the petitioner is not found correct.

4. Therefore, the petitioner is at liberty to file an application before the same Court within a period of one week from the date of receipt of copy of this order for the relief asked herein. If such application has been filed, the learned Principal Sessions Judge, Krishnagiri is directed to entertain the same and pass appropriate orders in accordance with law.

5. With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS III)

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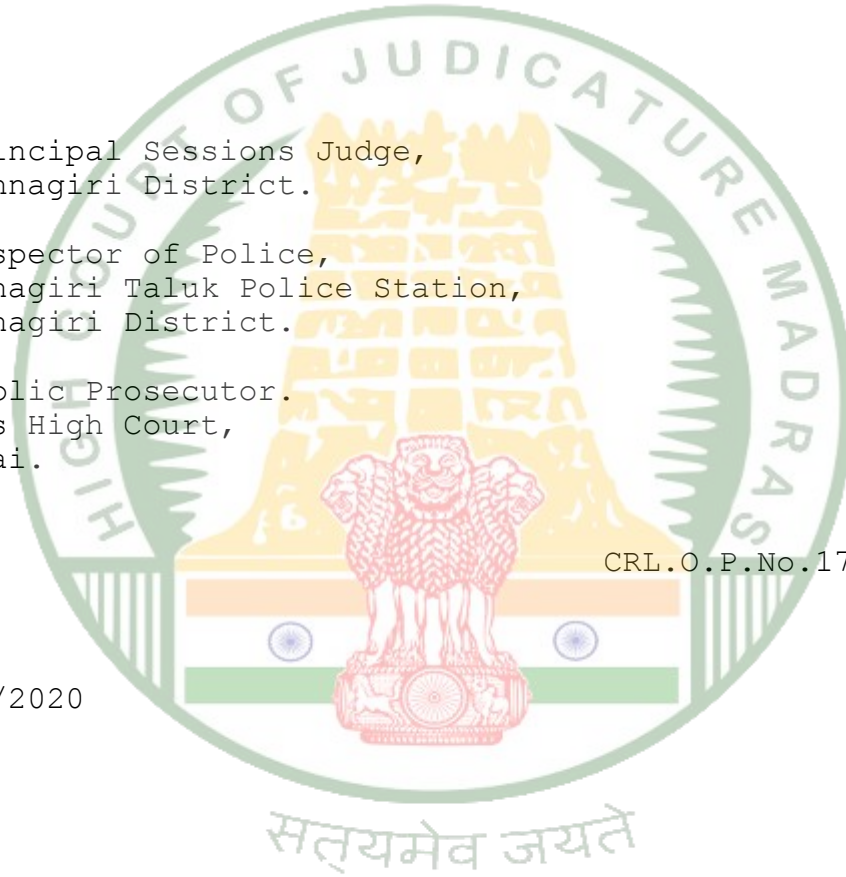
Sub Assistant Registrar

To

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

CRL.O.P.No.17303 of 2020

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