

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.RC.No.1213 of 2020

M/s.Argunt Aggregates

Rep by its Managing Director

Mr.Chandrasekaran

.. Petitioner/owner of the vehicle

/versus/

1.The State represented by

Inspector of Police,
Baluchettychatram Police Station,
Kancheepuram District.
(Crime No.99 of 2020)

2.M/s.Sundaram Finance Ltd.,

Having Office at No.45, Arcot road,
Ranipet,
Ranipet District.

.. Respondent/Respondents

(No relief is sought from the
second respondent since no-
objection letter given before
District and Sesions Court,
Kancheepuram at Chengalpattu. Hence
given up)

Prayer: Criminal Revision Case filed under Section 397 and 401
of Code of Criminal Procedure filed to set aside the impugned
condition No.2 and condition no.4 made in Crl.M.P.No.2755 of
2020 by order dated 07.12.2020, passed by the District and
Sessions Judge, Kancheepuram District at Chengalpattu and
consequently return the petitioner Vehicle No.TN-73-H-7822
forthwith 2020.

For Petitioner :

Mr.P.P.Shanmugasundaram

For Respondent :

Mr.C.Iyyappa Raj

Additional Public Prosecutor

ORDER

This Revision is filed to set aside the conditions imposed
on the petitioner by the District and Sessions Judge,
Kancheepuram District at Chengalpattu by its order dated
07.12.2020 in Crl.M.P.No.2755 of 2020 that "2.The petitioner is

directed to deposit a sum of Rs.1,00,000/- before the Tahsildar, Kancheepuram and on deposit, the said amount has to be deposited by the Tahsildar, Kancheepuram to the credit of the District Mines and Minerals Foundation Trust as Non refundable deposit and 4. The petitioner is directed to submit the Original R.C.Book of the Goods Carrier Tipper bearing Reg.No.TN-73-H-7822 before the Judicial Magistrate no.I, Kancheepuram".

2.The learned counsel for the petitioner submitted that the vehicle was seized in the month of February 2020 and the same is lying with the respondent Police, the fitness certificate and insurance is also expired on 28.09.2020. Without the Original RC Book the petitioner will not be able to renew the Fitness Certificate and Insurance. He further submitted that the petitioner is finding difficulty in complying the condition to deposit a sum of Rs.1,00,000/- though he had spent huge money in seizure of the vehicle. Hence seeks to modify the Condition Nos.2 and 4 imposed on the petitioner.

3.Considering the submission made by the learned counsel for the petitioner, this Court is inclined to modify the condition imposed on the petitioner. Hence, the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Rupees Only) before the Tahsildar, Kancheepuram and on deposit, the said amount has to be deposited by the Tahsildar, Kancheepuram to the credit of the District Mines and Minerals Foundation Trust as Non refundable Deposit. The Petitioner after renewing the fitness certificate and insurance shall produce the photostat copy of the R.C Book along with the letter from M/s.Sundaram Finance before the Judicial Magistrate No.I, Kancheepuram.

4.With the above direction, this Criminal Revision Case is disposed of.

सत्यमेव जयते Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rst

To:

1.The District and Sessions Judge,
Kancheepuram District at Chengalpattu.

2 The Inspector of Police,
Baluchettychatram Police Station,
Kancheepuram District.

3.The Tahsildar
Kancheepuram District

4.The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.P.P.Shanmugasundaram Advocate sr42127

CRL.R.C.No.1213 of 2020

aa28/12/2020



WEB COPY