



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **28.01.2020**

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

Crl.R.C(MD)No.70 of 2020

Paulraj

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.
(Crime No.93 of 2019)

...Respondent

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order passed in Cr.M.P.No.2253 of 2019, dated 01.08.2019 on the file of the II Additional Sessions Judge(PCR), Tirunelveli.

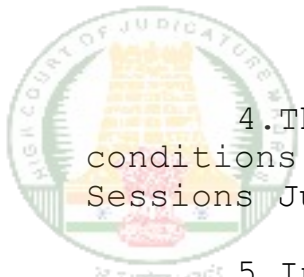
For Petitioner	: Mr.S.R.A.Ramachandran
For Respondent	: Mr.A.P.G.Ohm Chairma Prabhu
	Government Advocate (Crl.side)

O R D E R

This Criminal Revision Case has been filed to set aside the order passed in Cr.M.P.No.2253 of 2019, dated 01.08.2019 on the file of the learned II Additional Sessions Judge (PCR), Tirunelveli.

2.The petitioner claims to be the owner of the Royal Enfield Motor Cycle bearing Registration No.TN-19-P-9898. The respondent police seized the vehicle in connection with the Crime No.93 of 2019 for the alleged offence under Sections 294(b), 323, 506(ii) of IPC and 4 of TNPHW Act & 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act 2015 and handed over the same to the II Additional District and Sessions Court (PCR), Tirunelveli. Subsequently, the petitioner has approached the learned II Additional District and Sessions Court (PCR), Tirunelveli, by way of filing a petition in Cr.M.P.No.2253 of 2019 by its order dated 01.08.2019, by imposing the conditions to the effect that the petitioner shall deposit a sum of Rs.90,000/- as cash security and produce the original document of property as a security before the II Additional District and Sessions Court (PCR), Tirunelveli. Challenging the said order, the petitioner is before this Court with this petition.

3.Heard the learned counsel appearing on either side and perused the materials available on record.



4.The only grievance of the petitioner is that the conditions imposed by the learned II Additional District and Sessions Judge (PCR) are onerous.

5.In view of that, this Criminal Revision is partly allowed. The order of the learned II Additional District and Sessions Judge (PCR), Tirunelveli, made in Cr.M.P.No.2253 of 2019, dated 01.08.2019 is set aside in respect of the condition that the petitioner shall deposit Rs.90,000/- (Rupees Ninety thousand only) as cash security and produce the original document of property as a security before the learned II Additional District and Sessions Judge (PCR), Tirunelveli, alone and it is modified to the effect that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) before the II Additional District and Sessions Judge (PCR), Tirunelveli to the credit of Crime No.93 of 2019 of Mukkudal Police Station and the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge (PCR), Tirunelveli. In respect of other conditions, the order of the learned Principal Sessions Judge shall remain unaltered.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

VSD

To

1.The II Additional Sessions Judge (PCR), Tirunelveli.

2.The Inspector of Police,
Mukkudal Police Station,
Tirunelveli District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to MR.S.R.A.RAMACHANDRAN, Advocate (SR-3475[F] dated
28/01/2020)

CrI.R.C(MD)No.70 of 2020

28.01.2020

KM/(07.02.2020) 2P 5C

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