



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2020

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.97 of 2020

Senthamarai ... Petitioner/Petitioner/Nill/
3rd Accused cum owner of the vehicle.

Vs.

The State Rep. by
The Sub Inspector of Police,
Vangal Police Station,
Karur District.

(In Crime No.293 of 2019) ...Respondent/Respondent/Complainant/
Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the order passed in Crl.M.P.No.18 of 2020 in R.P.No.589 of 2019 on the file of the Principal Sessions Judge, Karur, dated 27.01.2020 in Crime No.293 of 2019 on the file of the Sub Inspector of Police, Vangal Police Station, Karur District, consequently delete the condition No.1 in Crl.M.P.No.18 of 2020, dated 27.01.2020 and direct the Principal Sessions Judge, Karur to hand over the interim custody of the vehicle bearing Registration No.TN-28-BA-8952 to the petitioner.

For Petitioner	: Mr.S.Gokulraj
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 Crl.M.P.No.18 of 2020, dated 27.01.2020 on the file of the learned Principal Sessions Judge, Karur.

2.The petitioner claims to be the owner of the Tractor bearing Registration No.TN-28-BA-8952. On 15.11.2019, the respondent police intercepted the vehicle of the petitioner and seized the same on the allegation that it was used for carrying illegal river sand without any valid permit and registered a case in Crime No.293 of 2019 under Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner



has approached the learned Principal Sessions Judge, Karur, by filing a petition for release of the vehicle and the learned judge allowed the petition filed by the petitioner in Cr1.M.P.No.18 of 2020, dated 27.01.2020, by imposing the 1st condition to the effect that the petitioner shall deposit a sum of Rs.2,00,000/- to the credit of Crime No.293 of 2019 of Vangal Police Station. Challenging the said order, the petitioner is before this Court with this criminal revision.

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 Principal Sessions Judge is onerous.

5.In view of that, this Criminal Revision is partly allowed. The order of the learned Principal Sessions Judge, Karur, made in Cr1.M.P.No.18 of 2020, dated 27.01.2020 is set aside in respect of the 1st condition alone and it is modified to the effect that the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.293 of 2019 of Vangal Police Station. In respect of other conditions, the order of the learned Principal Sessions Judge shall remain unaltered.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

1.The Principal Sessions Judge, Karur.

2.The Sub Inspector of Police,
Vangal Police Station, Karur District.

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

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-4640[F] dated 04/02/2020)

Cr1.R.C(MD)No.97 of 2020

04.02.2020

ss (CO)

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