



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.02.2020

CORAM

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

Cr1.R.C(MD)No.161 of 2020

A.Sevugan

... Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals,
Sivagangai District.

2.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.
(Crime No.112 of 2019)

...Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to modify the condition Nos.(a) and (b) imposed against the petitioner by the order, dated 28.01.2020 made in Cr.M.P.No.168 of 2020, on the file of the Principal Sessions Court, Sivagangai.

For Petitioner

: Mr.M.Ramesh

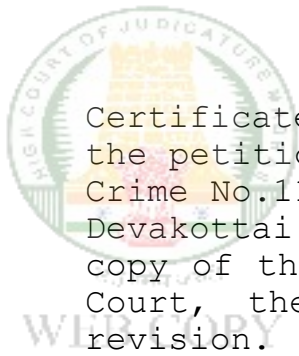
For Respondents

: Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Cr1.side)

O R D E R

This petition has been filed to modify the condition Nos.(a) and (b) imposed by the learned Principal Sessions Judge, Sivagangai in the order passed in Cr.M.P.No.168 of 2020, dated 28.01.2020.

2.The petitioner claims to be the owner of the Ashok Leyland Lorry bearing Registration No.TN-66-D-9641. According to the petitioner, the alleged vehicle was seized by the Village Administrative Officer on 14.12.2019 and the respondent police registered the case in Crime No.112 of 2019 for the offence under Section 21(4) of Mines and Minerals (Development and Regulations) Act, 1957. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Sivagangai, by way of filing a petition in Cr.M.P.No.168 of 2020 for release of the Ashok Leyland lorry and the learned judge has allowed the petition filed by the petitioner by its order dated 28.01.2020, by imposing the condition (a) to the effect that the petitioner shall deposit the original Registration



Certificate of the vehicle and the condition (b) to the effect that the petitioner shall deposit a sum of Rs.1,00,000/- to the credit of Crime No.112 of 2019 on the file of the learned Judicial Magistrate, Devakottai within a period of one week from the date of receipt of a copy of this order. Challenging the conditions imposed by the trial Court, 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 (a) and (b) imposed by the learned Principal Sessions Judge, Sivagangai are onerous.

5.In view of that, this Criminal Revision is allowed. The order of the learned Principal Sessions Judge, Sivagangai, made in Cr.M.P.No.168 of 2020, dated 28.01.2020 is set aside in respect of the conditions (a) and (b) alone and the condition (a) is modified to the effect that the petitioner is directed to produce the certified copy of the R.C.Book and the condition (b) is modified to the effect that the petitioner is directed to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the credit of Crime No.112 of 2019 on the file of the learned Judicial Magistrate, Devakottai within a period of one week from the date of receipt of a copy of this order. In respect of other conditions, the order of the learned Principal Sessions Judge, Sivagangai, shall remain unaltered.

Sd/-

Assistant Registrar (Crl Side)

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Sub Assistant Registrar(CS)

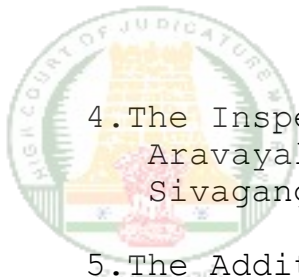
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To

1.The Principal Sessions Judge,
Sivagangai.

2.The Judicial Magistrate,
Devakottai.

3.The Assistant Director,
Mines and Minerals,
Sivagangai District.



4.The Inspector of Police,
Aravayal Police Station,
Sivagangai District.

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

+1CC TO M/S.M.RAMESH, ADVOCATE, SR NO.7209

Crl.R.C(MD)No.161 of 2020

17.02.2020

KK/SAR/19.02.2020/3P-7C/