



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.02.2020**

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WEB COPY

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

Cr1.R.C(MD)No.204 of 2020

Vellaiyammal

... Petitioner/Vehicle Owner

Vs.

The State Rep. by
The Inspector of Police,
Vallathirakkottai Police Station,
Pudukkottai District.
(Crime No.64 of 2019)

...Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the Principal Sessions Judge, Pudukkottai in Cr.M.P.No.664 of 2020, dated 14.02.2020 and modify the condition of Rs.50,000/- as cash sureties before the Judicial Magistrate No.I, Pudukkottai.

For Petitioner : Mr.D.Ramesh Kumar

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

O R D E R

This Criminal Revision Petition has been filed to modify the onerous condition of deposit a sum of Rs.50,000/- as cash security imposed by the learned Principal Sessions Judge, Pudukkottai in the order passed in Cr.M.P.No.664 of 2020, dated 14.02.2020.

2.The petitioner claims to be the owner of the Ashok Leyland Dosch vehicle bearing Registration No.TN-45-BL-2670. On 14.12.2019, the respondent police seized the vehicle on the ground that it was used for committing the offence of transporting the illegal sand and registered a case in Crime No.64 of 2019 under Section 379 of IPC and Sections 21(1) and 21(2) of Mines and Minerals (Development & Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Pudukkottai, by way of filing a petition in Cr.M.P.No.664 of 2020 by its order, dated 14.02.2020, by imposing the condition to the effect that the petitioner shall deposit a sum of Rs.50,000/- as cash security before the Judicial Magistrate Court No.I, Pudukkottai. Challenging the said condition 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 condition imposed by the learned Principal Sessions Judge is onerous.

5.In view of that, this Criminal Revision is allowed. The order of the learned Principal Sessions Judge, Pudukkottai, made in Cr.M.P.No.664 of 2020, dated 14.02.2020 is set aside in respect of the petitioner shall deposit Rs.50,000/- (Rupees Fifty thousand only) as cash security before the learned Judicial Magistrate Court No.I, Pudukkottai, 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 learned Judicial Magistrate No.I, Pudukkottai, to the credit of Crime No.64 of 2019 of Vallathirakkottai 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,
Pudukkottai.

2.The Inspector of Police,
Vallathirakkottai Police Station,
Pudukkottai District.

3. The Judicial Magistrate No.I, Pudukkottai.

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

+1 CC to Mr.D.RAMESH KUMAR, Advocate (SR-8308[F] dated 26/02/2020)

Crl.R.C(MD)No.204 of 2020

26.02.2020

VB(03.03.2020) 2P 6C