



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **28.02.2020**
CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI
Crl.R.C(MD)No.223 of 2020

Ravi

... Petitioner/Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Velliyanai Police Station,
Karur District.
(Crime No.230 of 2018)

... Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records in Cr.M.P.No.100 of 2020 on the file of the Principal Sessions Judge, Karur, dated 07.02.2020 and modify the portion of condition imposed in the said impugned order and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of this case.

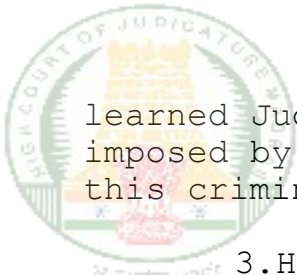
For Petitioner : Mr.S.Deenadhayalan

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

O R D E R

This petition has been filed to modify the portion of condition imposed by the learned Principal Sessions Judge, Karur, in the order passed in Cr.M.P.No.100 of 2020, dated 07.02.2020.

2.The petitioner claims to be the owner of the Lorry bearing Registration No.TN-29-AJ-2814. The respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand without any valid permit and registered a case in Crime No.230 of 2018 under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Karur, by way of filing a petition in Crl.M.P.No.100 of 2020 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order dated 07.02.2020, by imposing the 1st condition to the effect that the petitioner is directed to deposit a sum of Rs.1,00,000/- before the trial Court in Crime No.230 of 2018 of Velliyanai Police Station and the 2nd condition to the effect that the petitioner should execute a bond for a sum of Rs.5,00,000/- to the satisfaction of the



learned Judicial Magistrate No.II, Karur. 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 1st, and 2nd conditions imposed by the learned Principal Sessions Judge, Karur, are onerous.

5.In view of that, this Criminal Revision is partly allowed. The order of the learned Principal Sessions Judge, Karur, made in Cr.M.P.No.100 of 2020, dated 07.02.2020 is modified in respect of the 1st and 2nd conditions alone and the 1st condition is modified to the effect that the petitioner is directed to surrender the original R.C.Book and also to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) before the trial Court in Crime No.230 of 2018 of Velliyanai Police Station and the 2nd condition to the effect that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Karur. In respect of other conditions, the order of the learned Principal Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vsd

To

- 1.The Principal Sessions Judge,
Karur.
2. The Chief Judicial Magistrate,
Karur
3. The Judicial Magistrate No.II,
Karur
4. The Inspector of Police,
Velliyanai Police Station,
Karur District.



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

+1 CC to Mr.S.DEENADHAYALAN, Advocate (SR-9233[F] dated
28/02/2020)

Cr1.R.C(MD)No.223 of 2020
28.02.2020

MK (06.03.2020) 3P 7C