



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.224 of 2020

Andiyappan ... Petitioner/Owner of the vehicle

Vs.

- 1.The Revenue Divisional Officer,
Ramanathapuram,
Karur District.
- 2.The Tahsildar,
Kadavur Taluk,
Karur District.
- 3.The Inspector of Police,
Chinthamanipatti Police Station,
Karur District.
(Crime No.170 of 2019)
- 4.The Assistant Director,
Tamil Nadu Mines and Minerals,
Ramanathapuram,
Ramanathapuram District.

... Respondents/Complainants

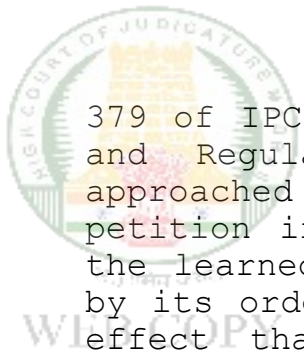
Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order passed in Cr.M.P.No.143 of 2020, dated 11.02.2020 on the file of the Principal District & Sessions Court, Karur and modify the onerous conditions No.1 & 2.

For Petitioner	: Mr.J.Sivaram
For Respondents	: Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl.side)

O R D E R

This petition has been filed to modify the onerous condition Nos. 1 and 2 imposed by the learned Sessions Judge, Karur, in the order passed in Crl.M.P.No.143 of 2020, dated 11.02.2020.

2.The petitioner claims to be the owner of the Tractor bearing Registration No.TN-48-Q-5763. 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.170 of 2019 under Section



379 of IPC and Section 21(1)(2) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Sessions Judge, Karur, by way of filing a petition in Crl.M.P.No.143 of 2020 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order dated 11.02.2020, by imposing the 1st condition to the effect that the petitioner is directed surrender the original R.C.Book and also to deposit a sum of Rs.1,00,000/- before the trial Court in Crime No.170 of 2019 of Chinthamanipatti police station and the 2nd condition to the effect that the petitioner should execute a bond for a sum of Rs.3,00,000/- to the satisfaction of the learned Judicial Magistrate No.I, Kulithalai. 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 Sessions Judge, Karur, are onerous.

5.In view of that, this Criminal Revision is allowed. The order of the learned Sessions Judge, Karur, made in Crl.M.P.No.143 of 2020, dated 11.02.2020 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 produce certified copy of the R.C.Book obtaining from the financier and also to deposit a sum of Rs.25,000/- (Rupees Twenty five thousand only) before the trial Court in Crime No.170 of 2019 of Chinthamanipatti Police Station and the 2nd condition is modified to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kulithalai. In respect of other conditions, the order of the learned Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

To

1. The Judicial Magistrate No.I,

<https://hcservices.judiciary.gov.in/hcservices/>



2. The Chief Judicial Magistrate,
Karur

3. The Principal Sessions Judge,
Karur

4. The Revenue Divisional Officer,
Ramanathapuram,
Karur District.

5. The Tahsildar,
Kadavur Taluk,
Karur District.

6. The Inspector of Police,
Chinthamanipatti Police Station,
Karur District.

7. The Assistant Director,
Tamil Nadu Mines and Minerals,
Ramanathapuram, Ramanathapuram District.

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

+1 CC to Mr.J.SIVARAM, Advocate (SR-9239[F] dated 28/02/2020)

Crl.R.C(MD)No.224 of 2020
28.02.2020

MK (05.03.2020) 3P 10C