



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **20.03.2020**

CORAM

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

Crl.R.C(MD)No.336 of 2020

WEB COPY

Somasundaram

...Petitioner/Owner of vehicle

Vs.

The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

(Crime No.200 of 2019)

...Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to modify the order, dated 09.03.2020 made in Crl.M.P.No.241 of 2020 on the file of the Principal Sessions Judge, Karur in so far as condition No.(i) is concerned.

For Petitioner : Mr.B.Santhanam Rajeshkumar

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (Crl.side)

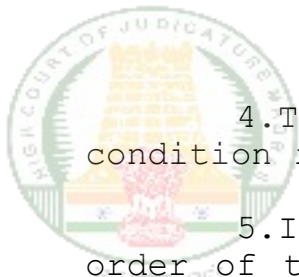
O R D E R

This petition has been filed to modify the 1st condition imposed by the learned Sessions Judge, Karur in the order passed in Crl.M.P.No.241 of 2020, dated 09.03.2020.

2.The petitioner claims to be the owner of the Lorry bearing Registration No.TN-04-F-7254. On 06.10.2019, 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.200 of 2019 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 Sessions Judge, Karur, by way of filing a petition in Crl.M.P.No.241 of 2020 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 09.03.2020, by imposing the 1st condition to the effect that the petitioner was directed to surrender the original R.C.Book and also to deposit a sum of Rs.1,00,000/- (Rupees one lakh only) before the learned Sessions Judge, Karur in Crime No.200 of 2019 of Chinnadharapuram Police Station. Challenging the 1st 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.

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



4.The only grievance of the petitioner is that the 1st condition imposed by the learned Sessions Judge, Karur, is 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.241 of 2020, dated 09.03.2020 is modified in respect of the 1st condition alone and it is modified to the effect that the petitioner is directed to surrender the original R.C.Book and to deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) before the learned Sessions Judge, Karur to the credit of Crime No.200 of 2019 of Chinnadharapuram Police Station. In respect of other conditions, the order of the learned Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar (records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsd

ToT

1.The Principal Sessions Judge,
Karur.

2.The Inspector of Police,
Chinnadharapuram Police Station,
Karur District.

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

+1 CC to M/s.B.SANTHANAM RAJESH KUMAR, Advocate (SR-12918[F] dated 23/03/2020)

Crl.R.C(MD)No.336 of 2020
20.03.2020

KB(29/05/2020) 2P 5C