



WEB COPY

Crl.R.C(MD)No.327 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2020

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.327 of 2020

Maruthai

... Petitioner/Petitioner

Vs.

The State through
The Inspector of Police,
Kulithalai Police Station,
Karur District.
(Crime No.528 of 2019)

...Respondent/Respondent

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records in pertaining to the order of the learned Sessions Judge, Karur, dated 06.03.2020 made in Crl.M.P.No.214 of 2020 and modify the 1st condition and allow this revision.

For Petitioner : Mr.K.Arunraj

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.214 of 2020, dated 06.03.2020.

2.The petitioner claims to be the owner of the Tipper Lorry bearing Registration No.TN-73-A-4343. On 14.11.2019, the Tahsildar, Kulithalai Taluk, 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 handed over to the respondent police. The respondent police registered a case in Crime No.528 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.214 of 2020 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 06.03.2020, 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.528 of 2019 of Kulithalai 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.

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.214 of 2020, dated 06.03.2020 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.528 of 2019 of Kulithalai Police Station. In respect of other conditions, the order of the learned Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar (C.S.II)

/True Copy/

Sub Assistant Registrar

To

1.The Sessions Judge,
Karur.

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

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

+1cc to Mr.K.Arunraj, Advocate Sr.No.12583

AKM/07.05.2020 /2P-5C/