



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 28.05.2020

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

Crl.RC(MD)No.357 of 2020

V.Guhan : Petitioner/Petitioner/A2

Vs.

1.Inspector of Police,
Arimalam Police Station,
Pudukkottai District. : R1/Respondent/Complainant

2.G.Veeramani : R2/Respondent/ 3rd Party

Prayer: Criminal Revision has been filed under section 397 r/w 401 of the Code of the Criminal Procedure against the order passed in Cr.M.P.No.707 of 2020, dated 06.03.2020 by the Principal Sessions Judge, Pudukkottai and to modify the 1st condition imposed in that order.

For Petitioner : Mr.V.Pavel

For 1st Respondent : Mr.A.P.G Ohm Chairma Prabhu
Government Advocate (Crl. Side)

For 2nd Respondent : No Appearance

O R D E R

This criminal revision is directed against the order passed in Cr.M.P.No.707 of 2020, dated 06.03.2020 by the Principal Sessions Judge, Pudukkottai and to modify the 1st condition imposed in that order.

2.The 1st respondent foisted a case in Crime No.85 of 2019 for the offence under sections 353, 379 IPC r/w section 21(1) & (2) of Mines and Minerals (Development and Regulation) Act, against the petitioner and two others and the vehicle (Bolero Pickup Van (TN-60-Y-7427) belonging to the petitioner was seized by the 1st respondent police. The petitioner has filed a petition for interim custody of the vehicle in Crl.M.P.No.707 of 2020 before the Principal Sessions Judge, Pudukkottai. The said petition was allowed on 06.03.2020 with a condition to deposit a cash amount of Rs.50,000/- in the court concerned. Aggrieved over the same, the petitioner is before this court.



3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The main grievance of the petitioner is that now he is unemployed and he is not in a position to deposit Rs.50,000/- and hence, he seeks modification of the condition.

5. Considering the facts and circumstances of this case and also considering the fact that the petitioner is an unemployed, this court is inclined to modify the conditional order passed by the lower court.

6. In the result, this Criminal Revision is **partly allowed**. The impugned order, dated 06.03.2020 passed in Cr.M.P.No.707 of 2020 by the Principal Sessions Judge, Pudukkottai, is modified to the effect that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand only) before the Judicial Magistrate Court, Thirumayam. In other aspects, the order of the lower court shall stand unaltered.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

To

1. The Principal Sessions Judge,
Pudukkottai.
2. The Judicial Magistrate,
Thirumayam.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.RC(MD)No.357 of 2020

28.05.2020

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