



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 16.07.2020

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.397 of 2020

R.Prathap

.. Petitioner /Petitioner
cum owner of the Property

Vs.

1.The District Collector,
Karur District

2.The Revenue Divisional Officer,
Karur District.

3.The Assistant Director of Geology and Mining,
Karur District.

.. Respondents/Respondent/
cum Complainant

Prayer : This criminal revision case is filed under Sections 397 r/w. 401 of Cr.P.C., to set aside the order made in Crl.M.P.No.291 of 2020 on the file of the learned Sessions Judge, Karur dated 01.07.2020 in respect of condition No.1, delete the condition no.1 to deposit the sum of Rs.1,50,000/- and to hand over the interim custody of the vehicle bearing Registration No.TN-30-Y-7870 belongs to the petitioner.

For Petitioner : Mr.S.Gokulraj
For Respondents : Mrs.Anandha Devi,
Government Advocate (Crl. Side)

ORDER

This revision has been filed to set aside the order passed in Crl.M.P.No.291 of 2020 dated 01.07.2020, on the file of the learned Sessions Judge, Karur in respect of condition No.1 alone and hand over the interim custody of the vehicle bearing Registration No.TN-30-Y-7870 belongs to the petitioner.

2.The petitioner claims to be the owner of the lorry bearing Registration No.TN-30-Y-7870. The respondents seized lorry belonging to the petitioner alleging that the lorry was involved with the sand theft and produced the property before the Court. Subsequently, the petitioner has approached the learned Sessions Judge, Karur, by filing a petition for release of the vehicle and the learned Judge allowed the petition in Crl.M.P.No.291 of 2020 dated 01.07.2020, by imposing the first condition to the effect that the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) in the Sessions Court, Karur. Challenging the cash deposit, the petitioner is before this Court with this revision case.



3.The learned Additional Public Prosecutor has no serious objection in modifying the condition imposed by the learned Sessions Judge.

4.In view of that, this Criminal Revision is allowed. The order of the learned Principal Sessions Judge, Karur, made in Crl.M.P.No.291 of 2020 dated 01.07.2020 is set aside in respect of the first condition alone and it is modified to the effect that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crl.M.P.No.291 of 2020 on the file of the learned Sessions Judge, Karur. In respect of other conditions, the order of the learned Sessions Judge shall remain unaltered.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Mrn

Note : In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Sessions Judge, Karur.

2.The District Collector,
Karur District

3.The Revenue Divisional Officer,
Karur District.

4.The Assistant Director of Geology and Mining,
Karur District.

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

Crl. R.C.(MD)No.397 of 2020

16.07.2020

VB (22.07.2020) 2P 6C