



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATE : 28.08.2020
CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.482 of 2020

WEB COPY

S.Ramkumar

... Petitioner

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

Prayer : This criminal revision case filed under Sections 397 r/w. 401 of Cr.P.C., to set aside the order made in Crl.M.P.No.292 of 2020 on the file of the Sessions Judge, Karur dated 01.07.2020 in respect of condition no.1, and consequently delete the condition no.1 to deposit the sum of Rs.1,50,000/- and hand over the interim custody of the vehicle bearing Registration No.TN-05-J-5857 belonging to the petitioner.

For Petitioner	: Mr.S.Gokulraj
For Respondents	: Mr.K.Dinesh Babu, Additional Public Prosecutor

ORDER

This revision has been filed to set aside the order passed in Crl.M.P.No.292 of 2020 dated 01.07.2020, on the file of the learned Sessions Judge, Karur in respect of condition no.1 alone and to hand over the interim custody of the vehicle bearing Registration No.TN-05-J-5857 belongs to the petitioner.

2.The petitioner claims to be the owner of the lorry bearing Registration No.TN-05-J-5857. The respondents seized the lorry belonging to the petitioner alleging that the lorry was used for sand theft and produced it 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.292 of 2020 dated 01.07.2020 by imposing the first condition to the effect that "the petitioner is directed to surrender the original R.C. Book and to deposit a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) in the Sessions Court, Karur and on compliance thereof, the vehicle is ordered to be returned to the petitioner on interim custody". Challenging the



aforesaid condition, the petitioner is before this Court with this revision case.

3.On the side of the respondent, it is stated that if the vehicle is released, the vehicle may be used for commission of the similar offence again and raised objections to the petition.

4.In view of the above facts and circumstances of the case, this Court is inclined to suo moto modify the second condition to the effect that the petitioner shall execute a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for like sum. This Court is inclined to modify the first condition 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".

5.In view of the above directions, this Criminal Revision is allowed. The order of the learned Sessions Judge, Karur, made in Crl.M.P.No.292 of 2020 dated 01.07.2020 is thereby modified. In respect of other conditions, the order of the learned Sessions Judge shall remain unaltered.

Sd/-

Assistant Registrar (CS-III)

// 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.

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