



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2020

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WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.499 of 2020

M.Duraisamy .. Petitioner / vehicle Owner

Vs.

1.The Revenue Divisional Officer,
Karur.

2.The Tahsildar,
Aravakurichy Taluk,
Karur District.

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

.. Respondents /Complainants

Prayer : This Revision Case is filed under Section 397 read with Section 401 of Cr.P.C., to call for the entire records in connection with Cr.M.P.No.748 of 2020, dated 16.07.2020, on the file of the learned Sessions Judge, Karur and set aside the condition imposed in serial number (i) of the above order with regard to deposit a sum of Rs.1,50,000/-.

For Petitioner : Mr.M.Seeni Sulthan

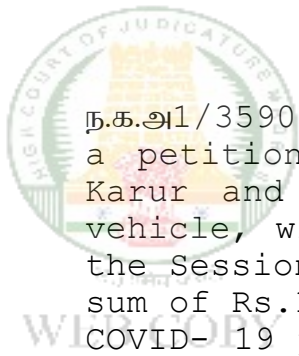
For Respondents : M/s.Anandha Devi
Government Advocate

ORDER

This revision has been filed to call for the entire records in connection with Cr.M.P.No.748 of 2020, dated 16.07.2020, on the file of the learned Sessions Judge, Karur and to set aside the condition imposed in serial number (i) of the order with regard to deposit of a sum of Rs.1,50,000/-.

2. On the side of the petitioner, it is stated that the vehicle of the petitioner was seized by the first respondent in

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



நக.அ1/3590/2019, dated 16.07.2019. Therefore, the petitioner filed a petition for return of the vehicle before the Sessions Judge, Karur and the Sessions Judge has passed an order for return of vehicle, with certain conditions and the first condition imposed by the Sessions Judge is that the petitioner was directed to deposit a sum of Rs.1,50,000/- in the court. It is further stated that due to COVID-19 pandemic situation, the petitioner is not able to deposit that amount and hence, prayed the condition to be modified.

3. On the side of the prosecution, it is stated that the vehicle was used for transporting sand and the vehicle is a Heavy Goods vehicle and objected to the modification of the order.

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

5. There is no question regarding the ownership of the vehicle. The only point to be decided is whether the condition No.1 imposed by the trial Judge is to be modified. On the basis of the representation made by the petitioner, this Court is inclined to modify the first condition to the effect that the petitioner has to deposit a sum of Rs.50,000/- instead of Rs.1,50,000/-

6. Hence, this Criminal Revision Case is partly allowed. The order passed by the learned Sessions Judge, Karur made in Cr.M.P.No.748 of 2020, dated 16.07.2020, is set aside in respect of the 1st condition is modified to the effect that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) in the Sessions Judge, Karur. In respect of other conditions, the order of the learned Sessions Judge shall remain unaltered.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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.

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



2.The Revenue Divisional Officer,
Karur.

3.The Tahsildar,
Aravakurichy Taluk,
Karur District.

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

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

Crl. R.C.(MD)No.499 of 2020
18.09.2020

Ls
SDS (24.09.2020) 3P-6C