



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Original Jurisdiction)

Thursday, the Tenth day of September Two Thousand and Twenty

WEB COPY

PRESENT

The Hon'ble Mrs. Justice R. THARANI

CRL MP(MD). No.4465 of 2020

in

CRL RC(MD). No.38 of 2020

Nawas

... Petitioner/Petitioner

Vs

State represented by The Forest Officer,
Mandapam Range, Mandapam, Ramanathapuram District.
(WLOP No.16 of 2019).

... Respondent/Respondent

Prayer in CRL MP(MD). No.4465 of 2020 :-

Criminal Miscellaneous Petition filed under section 482 of Criminal Procedure Code, praying this Court to modify the 2nd condition that "(ii) the petitioner shall deposit Rs.1 Lakh to the credit of WLOP No.16 of 2019 on the file of the District Munsif cum Judicial Magistrate, Rameswaram" imposed upon the petitioner by this Court in CRL RC(MD). No.38 of 2020 dated 13.08.2020.

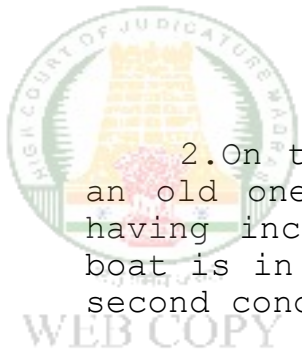
Prayer in CRL RC(MD). No.38 of 2020 :

Criminal Revision Cases filed under section 397 and 401 of Criminal Procedure Code, against the order dated 07.11.2019 made in CR.M.P.No.2620 of 2019 on the file of the District Munsif cum Judicial Magistrate, Rameshwaram.

ORDER:-

Criminal Miscellaneous Petition coming up for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.Gokul, Advocate for the Petitioner and of Mr.K.Dinesh Babu, Additional Public Prosecutor On Behalf of the Respondents, this Court made the following order:

This petition has been filed to modify the second condition imposed by this Court in Crl.R.C.(MD) No.38 of 2020 dated 17.08.2020.



2. On the side of the petitioner, it is stated that the boat is an old one. Due to the pandemic situation, the petitioner is not having income even to maintain his family. It is stated that the boat is in custody for the past nine months and prayed to modify the second condition imposed by this Court in Crl.R.C.(MD)No.38 of 2020.

3. In view of the present situation and considering the fact that the boat is in custody of the respondent for the past nine months, this Court is inclined to reduce the deposit amount to Rs.50,000/- (Rupees Fifty Thousand only).

4. In the above circumstances, this petition is allowed and the second condition imposed by this Court in Crl.R.C.(MD)No.38 of 2020 is modified to the effect that "the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of WLOR No.16 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Rameswaram, within a period of four weeks from the date of receipt of a copy of this order along with a bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) with two sureties for a like sum".

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1 The District Munsif cum Judicial Magistrate,
Rameshwaram.
- 2 The Forest Officer, Mandapam Range, Mandapam,
Ramanathapuram District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.M.P. (MD)No.4465 of 2020
in
Crl.R.C. (MD)No.38 of 2020
10.09.2020

SDS (16.09.2020) 2P-4C

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