



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 25.09.2020

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.537 of 2020

WEB COPY

Chinnadurai

.. Petitioner /Petitioner

Vs.

State rep. By,
The Inspector of Police,
K.Pudupatty Police Station,
Pudukottai District.

.. Respondent/Respondent

Prayer : This criminal revision case is filed under Sections 397 & 401 of Cr.P.C., to call for the records pertaining to the order passed by the learned Principal District and Sessions Judge, Pudukottai in Cr.M.P.No.575 of 2020 dated 10.02.2020 and to set aside the condition in so far directing the petitioner to deposit a sum of Rs.50,000/- as cash security.

For Petitioner	: Mr.T.Lenin Kumar
For Respondent	: Mrs.Anandha Devi, Government Advocate (Crl. Side)

ORDER

This revision has been filed to set aside the order passed in Crl.M.P.No.575 of 2020 dated 10.02.2020, on the file of the learned Principal District and Sessions Judge, Pudukottai in respect of cash deposit alone.

2.The petitioner claims to be the owner of the lorry bearing Registration No.TN-55-Y-9866. The respondent seized the lorry belonging to the petitioner alleging that the lorry was involved in sand theft and produced the property before the Court. Subsequently, the petitioner has approached the learned Principal District and Sessions Judge, Pudukottai, by filing a petition for release of the vehicle and the learned Judge allowed the petition in Crl.M.P.No.575 of 2020 dated 10.02.2020, by imposing the condition to the effect that the petitioner must deposit Rs.50,000/- as cash deposit before the Judicial Magistrate Court, Thirumayam. Challenging the cash deposit, the petitioner is before this Court with this revision case.

3.On the side of the petitioner, it is stated that the vehicle is a very old vehicle. The petitioner is not in a position to deposit such a huge amount and prayed to set aside condition regarding the cash deposit.



4. On the side of the respondent, it is stated that if the vehicle is returned to the petitioner again, there is possibility for the vehicle being used for commission of similar offence.

5. In view of that, this Criminal Revision is partly allowed. The order of the learned Principal District and Sessions Judge, Pudukottai Crl.M.P.No.575 of 2020 dated 10.02.2020 is modified in respect of the cash deposit alone and it is modified to the effect that "the petitioner is directed to deposit a sum of Rs.35,000/- (Rupees Thirty Five Thousand only) as cash security before the Judicial Magistrate Court, Thirumayam". In respect of other conditions, the order of the learned Principal District and 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 Principal District and Sessions Judge,
Pudukottai.

2. The Judicial Magistrate, Thirumayam.

3. The Inspector of Police,
K.Pudupatty Police Station,
Pudukottai District.

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

Crl. R.C.(MD)No.537 of 2020
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