



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

MONDAY, THE TWELFTH DAY OF OCTOBER TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE MRS.JUSTICE R.THARANI

CRL MP(MD).NO.5066 OF 2020

IN

CRL.R.C.(MD).NO.52 OF 2020

M.Jeyavelu

...Petitioner/Petitioner

Vs

State Rep.by The Inspector of Police,
East Police Station, Virudhunagar.
(Crime No.511 of 2018).

...Respondent/Complainant

Prayer in CRL MP(MD).No.5066 of 2020:-

Criminal Miscellaneous Petition is filed under section 482 of Criminal procedure Code, praying this Hon'ble Court to modify the condition imposed in Crl.R.C.(MD).No.52 of 2020 dated 14.02.2020.

Prayer in CRL.R.C.(MD).No.52 of 2020 :

Criminal Revision Case is filed under section 397 read with 401 of Criminal Procedure Code, to call for the records pertaining to the order made in CR.M.P.No.2703 of 2019 dated 17.07.2019 on the file of the Judicial magistrate, No.II, Virudhunagar and set aside the same.

ORDER:- Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.Pon Karthikeyan, Advocate for the Petitioner and of Ms.S.Bharathi, Government Advocate(Criminal Side) On Behalf of the Respondent, this Court made the following order:

The petitioner filed this petition to modify the condition imposed in Crl.R.C.(MD)No.52 of 2020, dated 14.02.2020.

2. On 14.02.2020, this Court allowed the petition filed by the petitioner , in Crl.R.C.(MD)No.52 of 2020. The operative portion of the order is as follows:



"this petition is allowed on condition that the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) before the learned Judicial Magistrate No.II, Virudhunagar, to the credit of Crime No.511 of 2018, on the file of the respondent police. On such deposit, the learned Judicial Magistrate No.II, Virudhunagar is directed to return the gold jewels weighed about 8 sovereigns to the petitioner, as interim custody".

3. The learned counsel for the petitioner submitted that due to COVID - 19 pandemic situation, the petitioner was not able to mobilizing the funds and hence, prayed the amount to be modified.

4. Due to the present lock down situation and considering the submission made by the learned counsel for the petitioner, this Court is inclined to modify the condition already imposed on the petitioner.

5. Hence, this Criminal Miscellaneous Petition is allowed and the condition imposed on the petitioner is modified that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the learned Judicial Magistrate No.II, Virudhunagar. In respect of other conditions, the earlier order of this Court, dated 14.02.2020, shall remain unaltered.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To

- 1 The Judicial Magistrate No.II,
Virudhunagar
- 2 The Chief Judicial Magistrate,
Virudhunagar District at Srivilliputhur.
- 3 The Inspector of Police,
East Police Station,
Virudhunagar.



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

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Order Dated: 12.10.2020

Modification

CRL MP(MD).NO.5066 OF 2020
IN
CRL.R.C.(MD).NO.52 OF 2020

NS (CO)
NR (20/10/2020) 3P : 5C