

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.01.2021

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.No.315 of 2021

Velusamy

...Petitioner

Vs.

The Inspector of Police,
Mohanur Police Station,
Namakkal District.
Crime No.620 of 2020

...Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to modify the condition imposed by the learned Principal Sessions Judge, Namakkal order dated 05.10.2020 made in CMP.No.942 of 2020 "(i) the petitioner shall deposit a sum of Rs.1,50,000/- before the Jurisdictional Tahsildar as non-refundable deposit. After receipt of the above said amount, the same will have to be deposited by the Tahsildar, to the credit of the District Mines and Minerals Foundation Trust as non-refundable.

For Petitioner : Mr.W.Camyles Gandhi

For Respondents: Mr.M.Mohamed Riyaz
: Additional Public Prosecutor

ORDER

This petition has been filed seeking modification of the condition imposed by the court below while allowing the application in C.M.P.No.912 of 2020, filed by the petitioner for return of vehicle. The Court below while allowing the application under Section 451 Cr.P.C., seeking for return of vehicle, by order dated 05.10.2020, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,50,000/- before the Tahsildar, Namakkal and on deposit, the said amount has to be deposited by the Tahsildar, Namakkal, to the credit of the District Mines and Minerals Foundation Trust as Non-refundable deposit.

2.The learned counsel for the petitioner submitted that the petitioner was not able to mobilize funds due to the

pandemic situation and seeks for modification of the condition.

3.Taking into consideration the facts and circumstances of the case, the condition No.4(2) shall stand modified as follows:

"The petitioner is directed to deposit Rs.50,000/- before the Tahsildar, Namakkal, and on deposit, the said amount has to be deposited by the Tahsildar, Namakkal, to the credit of the District Mines and Minerals Foundation Trust as Non-refundable Deposit."

4.The other conditions as imposed by the Court below while passing orders in C.M.P.No.942 of 2020, will stand as it is.

5.Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Mohanur Police Station,
Namakkal District.

2.The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.W.Camyless Gandhi, Advocate SR.2522

CRL.O.P.No.315 of 2021

NRL (CO)
CB (05/03/2021)

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