

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.1449 of 2021

Vijaybabu

... Petitioner/Petitioner

Vs.

The State

Rep. by The Inspector of Police,

Kodavasal Police Station

Kodavasal, Tiruvarur District.

(Crime No.1263/2020)

... Respondent/complainant

Criminal Original Petition filed under Section 439(1) (b) of the Code of Criminal Procedure, to modify the condition to shall deposit a sum of Rs.1,00,000/- and the petitioner shall produce the original R.C before the Judicial Magistrate, Tiruvarur imposed by the Principal District and Sessions Court, Tiruvarur in CMP.No.1374 of 2020 by an order dated 14.12.2020.

For Petitioner : Mr.M.Mohammed Hasin

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed seeking modification of the condition imposed by the court below while allowing the application in Crl.M.P.No.1374 of 2020, filed by the petitioner for return of vehicle. The Court below while allowing the application under Sections 451 & 457 Cr.P.C., seeking for return of vehicle, by order dated 14.12.2020, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,00,000/- before the learned Judicial Magistrate, Thiruvarur.

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.12(2) shall stand modified as follows:

"The petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the learned Judicial Magistrate, Thiruvavarur."

4.The other conditions as imposed by the Court below while passing orders in Crl.M.P.No.1374 of 2020, will stand as it is.

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

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ssr

To

1. The Principal District and Sessions Court, Tiruvarur
2. The Judicial Magistrate, Tiruvarur
3. The Inspector of Police,
Kodavasal Police Station
Kodavasal, Tiruvarur District.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.Mohammed Hasin Advocate sr5483

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