

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.OP.No.1852 of 2021

Appu @ T. Narasiyappan

... Petitioner

Vs.

State Rep. by its
The Inspector of Police
Salavakkam Police Station
Kancheepuram District
(Crime No.585/2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition No.2 directing the petitioner to deposit a sum of Rs.1,00,000/- before the Tahsildar, Chengalpattu and on deposit, the said amount has to be deposited by the Tahsildar, Chengalpattu to the credit of the District Mines and Minerals Foundation Trust as Non Refundable Deposit as imposed in the order dated 07.01.2020 in Crl.M.P.No.2990 of 2020 by the learned Principal District and Sessions Judge, Kancheepuram District at Chengalpattu and thus render justice.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.C.Raghavan
Government Advocate

सत्यमेव जयते
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.3563 of 2020, filed by the petitioner for return of vehicle. The Court below while allowing the application under Section 451 r/w 457 Cr.P.C., seeking for return of vehicle, by order dated 07.01.2021, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,00,000/- before the Tahsildar, Uthiramerur and on deposit, the said amount has to be deposited by the Tahsildar, Uthiramerur, 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, Uthiramerur, and on deposit, the said amount has to be deposited by the Tahsildar, Uthiramerur, 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 CrI.M.P.No.2990 of 2020, will stand as it is.

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

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssr
To

1.The Principal District and Sessions Judge,
Kancheepuram District at Chengalpattu.

2.The Tahsildar,
Chengalpattu.

3.The Inspector of Police
Salavakkam Police Station
Kancheepuram District

4.The Public Prosecutor,
High Court, Madras.

+1cc to M/s.G.Magesh Kumar, Advocate SR.9441

CrI. OP. No.1852 of 2021

BP[co]
srg 19/03/2021