

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4488 of 2021

Suresh

..Petitioner

Vs.

State rep. by

The Inspector of Police,
Valangaiman Police Station,
Thiruvavarur District.
(Crime No.320 of 2019)

..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, Thiruvavarur, order dt.14.12.2020 made in Crl.MP.No.627 of 2020, viz. 12(1) The petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh only) before the learned District Munsif cum Judicial Magistrate, Valangaiman on or before 28.12.2020.

For Petitioner : Mr.G.Punniakoti

For Respondent : Mr.M.Mohammed 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.627 of 2020, filed by the petitioner for return of vehicle. The Court below while allowing the application under Section 457 & 451 of 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 District Munsif cum Judicial Magistrate, Valangaiman and on deposit, the said amount has to be deposited by the District Munsif cum Judicial Magistrate, Valangaiman, 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.12(1) shall stand modified as follows:

"The petitioner is directed to deposit Rs.50,000/- before the District Munsif cum Judicial Magistrate, Valangaiman, and on deposit, the said amount has to be deposited by the District Munsif cum Judicial Magistrate, Valangaiman , 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 Crl.M.P.No.267 of 2020, will stand as it is.

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

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

KP

To

1. The Principal Sessions Judge, Thiruvavarur.
2. The District Munsif cum Judicial Magistrate, Valangaiman.
3. The Inspector of Police,
Valangaiman Police Station,
Thiruvavarur District.
4. The District Mines and Minerals Foundation Trust,
Valangaiman.
5. The Public Prosecutor,
High Court, Madras.

+2cc to M/s.G.Punniakoti, Advocate, Sr.No.14722

Crl.O.P.No.4488 of 2021

VSN II (CO)
KKV/09/03/2021