

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl. OP No.4212 of 2021

Kamalakannan

... Petitioner/Petitioner

vs.

The State rep. By  
The Inspector of Police,  
Maraimalainagar Station,  
Chengalpattu District.  
Cr. No.40/2020

... Respondent/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 Jurisdictional Tahsildar concerned and on deposit, the same amount has to be deposited by the Jurisdictional Tahsildar concerned to the credit of the District Mines and Minerals Foundation Trust as Non Refundable Deposit as imposed in the order dated 06.11.2020 in Crl. MP.No.2824/2020 by the learned Principal District and Sessions Judge Kancheepuram District at Chengalpattu.

For Petitioners: Mr. K.Mohanraj

For Respondent : 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 Crl.M.P.No.2824 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 06.11.2020, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,00,000/- before the jurisdictional Tahsildar concerned and on deposit, the same amount has to be deposited by the Jurisdictional Tahsildar concerned 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 shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the before the jurisdictional Tahsildar concerned and on deposit, the same amount has to be deposited by the Jurisdictional Tahsildar concerned 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.2824 of 2020, will stand as it is.

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

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jv  
To

1. The Principal District and Sessions Judge  
Kancheepuram District at Chengalpattu
2. The Inspector of Police,  
Maraimalainagar Station,  
Chengalpattu District.
3. The Public Prosecutor,  
High Court of Madras,  
Chennai 600 104.
- 4.The Tahsildar, Chengalpattu.

+1 cc to M/s.K.Mohanraj, Advocate Sr.No. 13368

CrI. OP No.4212 of 2021

VGII(CO)  
RMP(11/03/2021)