

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.4863 of 2021

E.Sivarajan @ Sivaraj

.. Petitioner

Vs.

1.State rep. by its
Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.
(Crime No.3028/2020)

2.The Assistant Director,
Mines and Mineral Department,
Kancheepuram,
Kancheepuram District.

3.The Tahsildar,
Chengalpattu Taluk,
Chengalpattu District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to modify the condition imposed by the learned Principal Sessions Judge, Kancheepuram District at Chengalpattu order dated.03.03.2021. made in Crl.MP.No.157 of 2021 "5(2) The petitioner is directed to remit a non-refundable deposit of Rs.1,00,000/- before the Tahsildar, Chengalpattu by way of demand draft payable to the credit of the District Mines and Minerals Foundation Trust.

For Petitioner : Mr.G.Punniakoti

For Respondents: 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.157 of 2021, 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 03.03.2021, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,00,000/- before the Tahsildar, 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.

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.5(2) shall stand modified as follows:

"The petitioner is directed to deposit Rs.50,000/- before the Tahsildar, Chengalpattu by way of demand draft payable 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.157 of 2021, will stand as it is.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

1. Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.

(Crime No.3028/2020)

2.The Assistant Director,
Mines and Mineral Department,
Kancheepuram,
Kancheepuram District.

3.The Tahsildar,
Chengalpattu Taluk,
Chengalpattu District.

4. Principal District and Sessions Judge,
Kancheepuram District ,
Chengalpattu.

5. The Tahsildar,
Chengalpattu.

6.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.G.Punniyakoti, Advocate Sr.No. 15392

Crl.O.P.No.4863 of 2021

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RMP(12/03/2021)



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