

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.5376 of 2021

R.Elumalai

.. Petitioner

Vs.

The State rep.by
The Inspector of Police,
Chengalpattu Taluk Station,
Chengalpattu District.

Cr.No.40/2020

.. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, 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 19.11.2020 in CrI.MP.No.1802/2020 by the learned Principal District and Sessions Judge, Kancheepuram District at Chengalpattu.

For Petitioner : Mr.K.Mohnraj

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 CrI.M.P.No.1802 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 19.11.2020, had imposed certain conditions and one such condition was that the petitioner should deposit a sum of Rs.1,00,000/- before the 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.4(2) shall stand modified as follows:

"The petitioner is directed to deposit Rs.50,000/- before the Tasildar, 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."

4.The other conditions as imposed by the Court below while passing orders in CrI.M.P.No.1802 of 2020, will stand as it is.

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

KP

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

To

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

2.The Inspector of Police,
Chengalpattu Taluk Station,
Chengalpattu District.

3. The Tahsildar,
Chengalpattu.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K.Mohnraj, Advocate Sr.17673

CrI.O.P.No.5376 of 2021

RR(CO)

EU 19.03.2021