



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.12710 of 2021

Dhanapal

...Petitioner

Versus

State rep. by,
The Inspector of Police,
Mohanur Police Station,
Namakkal.
(Crime No.456 of 2019).

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed on the petitioner by the learned Principal Sessions Judge, Namakkal in Crl.M.P.No.166 of 2020 dated 06.02.2020 "the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh only) before the jurisdictional Tahsildar as non-refundable deposit. After receipt of the above said amount, the same will have to be deposited by the Tahsildar, to the credit of the District mines and minerals foundation trust as non-refundable deposit".

For Petitioner : Mr.R.Parthiban

For Respondent : Mr.A.Damodaran,
Government Advocate (Crl. Side)

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.166 of 2020, dated 06.02.2020 in Crime No.166 of 2020, filed by the petitioner for return of vehicle. The Court below while allowing the application under Section 451 of Cr.P.C., seeking for return of vehicle, by order dated 06.02.2020, 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, as non-refundable deposit. After receipt of the above said amount, the same will have to be deposited by the Tahsildar, 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.(i) shall stand modified as follows:

"The petitioner is directed to deposit Rs.25,000/- before the Jurisdictional Tahsildar, and on deposit, the said amount has to be deposited by the Jurisdictional Tahsildar, 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.166 of 2020, will stand as it is.

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

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. Principal Sessions Judge,
Namakkal.

2. The Inspector of Police,
Mohanur Police Station,
Namakkal.

3. The Tahsildar,
Namakkal.

4. The Public Prosecutor,
High Court, Madras.

5. The District Mines and Minerals Foundation Trust,
Namakkal

CRL.O.P.No.12710 of 2021

JP (CO)
RVM(27/07/2021)