



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.NO.18600 OF 2021

M.Syed Abdulla

... Petitioner

Vs

The State represented by
Inspector of Police,
Sholavaram Police Station
(Crime No.371 of 2021)

... Respondent

PRAYER:

Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to modify the condition that the petitioner shall execute a personal bond for a sum of Rs.4,00,000/- along with two surety for a like sum imposed in clause 'a' and reduce the deposit a sum of Rs.50,000/- as non-refundable deposit through RTGS/NEFT in favour of the "Bala Vihar, 10, Halls Road, Kilpauk, Chennai - 600 010" in clause 'f' in Crl.M.P.No.4225/2021 on the file of the Judicial Magistrate No.1, at Tiruvallur.

For Petitioner : Mr.K.Prabhakaran

For Respondent : Mr.R.Vinoth Raja
Govt.Advocate (Crl.Side)

ORDER

The petitioner has filed this Criminal Original Petition seeking modification of the condition imposed on 24.08.2021 in Crl.M.P.No.4225 of 2021 interim custody of vehicle viz. Tata Motors-SFC 709 Ex/38 BS3 bearing Registration No.TN-20-AF-41576 lorry, which was seized in Crime No.371 of 2021.

2.The lower Court, by order dated 24.08.2021, ordered interim custody of the lorry to the petitioner on certain conditions.

3.The petitioner is aggrieved as regards the condition "f"



directing the petitioner to deposit a sum of Rs.50,000/- as non refundable through RTGS/NEFT in favour of the "Bala Vihar, "Handicap" 10, Halls Road, Kilpauk, Chennai - 600 010".

4.The learned counsel for the petitioner submits that the petitioner is hails from a poor family and he is eking out his livelihood as driver by profession. The vehicle was purchased in the year 2007 by the petitioner for availing vehicle loan and the last six month EMI pending.

5.The learned Govt. Advocate (Crl.side) submits that in this case, the respondent police received information that the adulteration of ash in Cement and selling to others. Therefore, inspection was made and found that the petitioner was selling the cement impurity with ash. Questioning the same, the petitioner was quarreling and threatening the respondent. Therefore, the vehicle has been seized.

6.In view of the same, this court modifies the condition "f" alone that the non-refundable deposit amount is hereby reduced from 50,000/- to 35,000/- and other conditions remain unaltered. Accordingly, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

nr/sms

To

1. The Judicial Magistrate No.1,
Tiruvallur,

2. The Inspector of Police,
Sholavaram Police Station
(Crime No.371 of 2021)

3. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.K.Prabhakaran, Advocate, S.R.No.55665

CRL.O.P.No.18600 of 2021

BP(CO)
PM/02/12/2021