



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.18807 of 2021

T.Munusamy

... Petitioner

Vs

1.The State of Tamil Nadu
Rep.by the Inspector of Police,
Otteri Police Station,
Crime No.4173 of 2020.

2.ICICI Bank Ltd.,
No.1, Cenotaph Road,
Teynampet,
Chennai - 600 018.

.... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure, to modify the condition passed by the Hon'ble Principal District and Sessions Judge of Kancheepuram District at Chengalpattu in Crl.M.P.No.1486/2021 on 21.09.2021 directing the petitioner to remit a non-refundable deposit of Rs.1,00,000/- to the Tahsildar, Vandalur by way of demand draft payable to the credit of the District Mines and Minerals Foundation Trust'.

For Petitioner :Mr.K.J.Saravanan

For Respondent :Mr.R.Vinoth Raja
No.1 Govt.Advocate (Crl.Side)

ORDER

The petitioner, who is the owner of the vehicle, has filed this Criminal Original Petition seeking modification of the condition imposed on 21.09.2021 in Crl.M.P.No.1486 of 2021 interim custody of his vehicle Tipper Lorry bearing registration No.TN-11-AD-2868.



2.The lower Court, by order dated 21.09.2021, ordered interim custody of the Tipper lorry to the petitioner on certain conditions.

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3.The petitioner is aggrieved as regards the condition No.2 directing the petitioner to remit a non-refundable deposit of Rs.1,00,000/- to the Tahsildar, Vandalur by way of demand draft payable to the credit of "The District Mines and Minerals Foundation Trust".

4.The learned counsel for the petitioner submits that the petitioner is not an accused and during bail, the petitioner is directed to pay a sum of Rs.45,000/- to The Chairman/District Collector, District Mineral Foundation Trust of Kancheepuram District, as non-refundable. Further submitted that he was transporting stones, which was not illegally quarried.

5.The learned Govt. Advocate (Crl.side) submits that in this case, the petitioner without any valid receipts as well as overload was found in possession of 3 units of stones in a lorry and he had no bad antecedent. Hence, the vehicle has been seized and found that the vehicle is involved in offence under Mines and Minerals Act.

6.In view of the same, this court modifies the condition No.2 that the non-refundable deposit amount is hereby reduced from 1,00,000/- to 50,000/-. Accordingly, the criminal original petition is modified.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

nr/sms

To

1.The Inspector of Police,
State of Tamil Nadu
Otteri Police Station,
Crime No.4173 of 2020.



2. The Public Prosecutor,
High Court, Madras.

+1cc to M/s.K.J.Saravanan, Advocate Sr.55359

CRL.O.P.No.18807 of 2021

bp[co]
srg 30/11/2021