



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 05.02.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.51 of 2021

N.Gopal @ Gopalakrishnan ..Petitioner/Petitioner/Vehicle owner
Vs.

The State rep. by
The Inspector of Police,
Lalapet Police Station,
Karur District.

In Crime No.456 of 2020 ..Respondent/Respondent/Complainant

Prayer : This criminal revision case filed under Section 397 r/w. Section 401 of Cr.P.C., to call for the entire records in connection with Cr.M.P.No.1537 of 2020, dated 04.12.2020, on the file of the Principal Sessions Judge, Karur and to set aside the condition imposed in serial number (i) of the order with regard to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only).

For Petitioner	: Mr.M.Seenisulthan
For Respondent	: Mrs.S.Bharathi
	Government Advocate

ORDER

This Criminal Revision Case has been filed to call for the entire records in connection with Cr.M.P.No.1537 of 2020, dated 04.12.2020, on the file of the Principal Sessions Judge, Karur and to set aside the condition imposed in serial number (i) of the order with regard to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only).

2. An Innova Car bearing Registration No.TN-09-BA-4872 was seized by the respondent police in Crime No.456 of 2020. The petitioner claiming himself as the owner of the vehicle, filed a petition in Cr.M.P.No.1537 of 2020. That petition was allowed by the Principal Sessions Judge, Karur, on certain conditions. The petitioner preferred this Revision against the condition No.(i).

3.On the side of the petitioner, it is stated that the allegation against the petitioner is that he transported one gunny bag sand in the Innova Car. There is a quash petition pending against the F.I.R before this Court in Crl.O.P.(MD)No.10702 of 2020. The Principal Sessions Judge, Karur, has ordered that the petitioner shall deposit a sum of Rs. Rs.1,00,000/- (Rupees One Lakh only), which is exorbitant and prayed the condition No.(i) to be modified.

4.On the side of the respondent, it is stated that the offence involved is sand theft and the condition imposed by the trial Court



is very reasonable for return of the Innova Car and prayed the petition to be dismissed.

5.In view of the allegation against the petitioner and considering the fact that the sand involved is only one gunny bag, this Court is inclined to modify the condition No.(i)., is as follows:

"(i).The petitioner is directed to surrender the original R.C.Book and also to deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** before the Court in Crime No.456 of 2020 of Lalapet police Station".

In respect of other conditions, the order of the Principal Sessions Judge shall remain unaltered. This Criminal Revision Case is allowed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal District and Sessions Judge,
Karur.
- 2.The Inspector of Police,
Lalapet Police Station,
Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl. R.C. (MD)No.51 of 2021
05.02.2021

NS (CO)

KB(12.02.2021) 2P 4C