



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Nineteenth day of February Two Thousand and Twenty one
PRESENT

The Hon'ble Mrs Justice R.THARANI
CRL MP(MD).No.962 of 2021
in
CRL RC(MD).No.634 of 2020

WEB COPY

1. S.Stephanraj
S/o Sebasthiyar,
No.34,
Melarkrishnapuram Lalgudi,
Trichirappalli District ...Petitioner/Petitioner

1.The State Represented by
The Inspector of Police
Thanjavur South Police Station,
Thanjavur
Crime.No.109 of 2019 ...Respondent/Complainant

Prayer in CRL RC(MD).634 of 2020

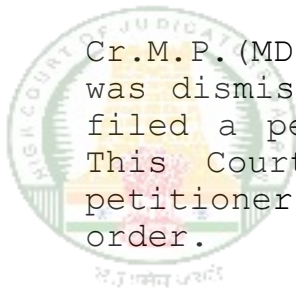
This Criminal Revision petition filed under Section 397 R/W 401 of Cr.P.C., call for the records pertaining to the order passed by the Principal District and Sessions Judge, Thanjavur District in Cr.M.P.No.2814 of 2020 vide its order dated 03.09.2020 and set aside the same and consequently direct the above said Principal District and Sessions Judge, Thanjavur District to rerun the Petitioner's Bolero Maxi Truck Plus bearing its registration Number TN.48 AS 0317 kept in the custody of the above said learned Principal District and Sessions Judge, Thanjavur District in connection with the case in Cr.No. 109 of 2019 on the file of the respondent Police, to the petitioner.

Prayer in CRL MP(MD).No.962 of 2021

This Criminal Miscellaneous petition, filed under Section 482 of Cr.P.C., to modify the condition no.(ii) imposed by this Honourable Court in Crl R.C.(MD).634 of 2020 vide its order dated 01.12.2020

Order:-This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed support thereof and upon hearing the arguments of M/S.S.Elumalai, Advocate for the petitioner and of M/s.Bharathikannan Government Advocate (criminal Side), for the respondent, this court made the following order:

<https://hcservices.ecourts.gov.in/hcservices/>
The vehicle / Bolero Maxi Truck Plus bearing Registration No.TN-48-AS-0317 was seized by the respondent police in Crime No.109 of 2019. The petitioner filed a petition before the lower Court in



Cr.M.P. (MD)No.2814 of 2020 for return of the vehicle. That petition was dismissed by the lower Court. Against the same, the petitioner filed a petition in CrI.R.C.(MD)No.634 of 2020 before this Court. This Court allowed the revision on certain conditions and the petitioner filed this petition seeking some modification in that order.

2. On the side of the petitioner, it is stated that the petitioner is not in a position to deposit Rs.50,000/- (Rupees Fifty Thousand only) as directed by this Court in condition No.(ii). The vehicle is kept in the open place for the past 1 ½ years and the vehicle will become useless and prayed the condition to be modified.

3. In view of the submissions made by the learned counsel for the petitioner, this Court is inclined to modify the condition No. (ii). Hence, this Petition is allowed and the condition No.(ii) is modified to the effect that the petitioner is directed to deposit **Rs.40,000/-** (Rupees Forty Thousand only) before the concerned Court.

4. In respect of other conditions, the order of this Court, dated 01.12.2020, shall remain unaltered.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
Thanjavur District.
2. The Inspector of Police
Thanjavur South Police Station,
Thanjavur
3. The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai



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Order dated:19/02/2021

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Orders

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CRL MP (MD) .No.962 of 2021
in

CRL RC (MD) .No.634 of 2020
Giving direction and Etc.
as stated within

KB (26.02.2021) 3P 4C