



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 23.02.2021

CORAM

WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.126 of 2021

Nagoor Meeran .. Petitioner/Petitioner/Accused No.1

Vs.

State Rep. by
The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.
(Crime No.13 of 2020)

.. Respondent/Respondent/Complainant

Prayer : This criminal revision case is filed under Section 397 r/w. Section 401 of Cr.P.C., to call for the records relating to the impugned order passed by the learned Judicial Magistrate, Shenkottai in Crl.M.P.No.1660 of 2020 dated 03.07.2020 with regard to condition No.3 alone and set aside the same and extend the time granted to comply the order in Crl.M.P.No.1660 of 2020, dated 03.07.2020 on the file of the learned Judicial Magistrate, Shenkottai.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mrs.S.Bharathi
Government Advocate (Crl. side)

ORDER

This Criminal Revision Case has been filed to set aside the impugned order passed by the learned Judicial Magistrate, Shenkottai in Crl.M.P.No.1660 of 2020 dated 03.07.2020 with regard to condition No.3 alone and extend the time granted to comply the above said order.

2.The vehicle / Fortuner Car bearing Registration No.TN-20-CH-6999, was seized by the respondent police in Crime No.13 of 2020, for an offence punishable under Section 397 of IPC. The petitioner claiming himself as the owner of the property filed a petition before the trial Court in Crl.M.P.No.1660 of 2020, after hearing the case, the learned Judicial Magistrate, Shenkottai allowed the petition on certain conditions. The petitioner has

<https://hcservicescourts.gov.in/hcservices>



3. On the side of the petitioner, it is stated that the petitioner is not in a position to produce sureties for a sum of Rs.8,00,000/- each. There is some difficulty in getting certificate from the Village Administrative Officer for a sum above Rs.5,00,000/- and prayed the petition to be modified. It is further stated that the value of the property is more than a crore and the petitioner is ready to execute a bond for a sum of Rs.8,00,000/- and the petitioner is not in a position to find out two sureties for a sum of Rs.8,00,000/-.

4. The learned Government Advocate (Criminal side) for the respondent has no serious objection to allow this petition.

5. In view of the revision made by the petitioner, the condition No.3 is modified to that effect that the petitioner has to produce two sureties each for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) and the petitioner is directed to execute a fresh bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) within a period of two weeks from the date of receipt of a copy of this order and the earlier bond, if any executed by the petitioner shall stand cancelled on the execution of new bond.

6. With the above directions, this Criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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 Judicial Magistrate, Shenkottai.

2. The Chief Judicial Magistrate, Tirunelveli District.



3.The Inspector of Police,
Shenkottai Police Station,
Tenkasi District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-7068[F] dated
24/02/2021)

Crl. R.C.(MD)No.126 of 2021
23.02.2021

NS(CO)
KK(01.03.2021) 3P 6C