



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 08.03.2021

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WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C. (MD)No.182 of 2021

A.Mohammed Ali

.. Petitioner

Vs.

State through
The Inspector of Police,
Dindigul Town South Police Station,
Dindigul.
(In Crime No.1961 of 2020)

.. Respondent

Prayer : This criminal revision case is filed under Sections 397 r/w. 401 of Cr.P.C., to call for the entire records connected with the impugned order in Crl.M.P.No.7238 of 2020 dated 31.12.2020 passed by the learned Judicial Magistrate No.III, Dindigul and to set aside the same as illegal with regarding to the condition no.1 that the petitioner/property owner shall execute personal bond for a sum of Rs.7,00,000/- along with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate is concerned.

For Petitioner
For Respondent

: Mr.I.Sabeer Mohammed
: Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This petition has been filed to set aside the order passed in Cr.M.P.No.7238 of 2020 dated 31.12.2020, on the file of the learned Judicial Magistrate No.III, Dindigul in respect of condition no.1 alone.

2.The petitioner claims to be the owner of the car bearing Registration No.TN-59-BA-9014. The respondent seized the car and produced the property before the Court. Subsequently, the petitioner has approached the learned Judicial Magistrate No.III, Dindigul, by filing a petition for release of the vehicle and the learned Judge allowed the petition in Crl.M.P.No.7238 of 2020 dated 31.12.2020, by imposing the first condition to the effect that 'the petitioner/property owner shall execute personal bond for a sum of Rs.7,00,000/- along with two sureties for a like sum each to the satisfaction of the Court'. Challenging the same, the petitioner is before this Court with this revision case.



3.On the side of the petitioner, it is stated that in the insurance policy, it is clearly stated that the value of the vehicle is below two lakhs whereas the lower Court has imposed a condition to execute a bond for Rs.7,00,000/- with two sureties and prayed the condition to be relaxed.

4.On the side of the respondent, it is stated that the condition imposed by the Court is reasonable and there is no necessity to set aside that condition.

5.It is seen that the vehicle involved is 2013 model Tata car. The value of the car stated as two lakhs in the insurance policy.

6.In view of the above, the Criminal Revision Case is partly allowed and the order passed by the learned Judicial Magistrate No.III, Dindigul in Cr.M.P.No.7238 of 2020 dated 31.12.2020 is modified in respect of condition no.1 alone. It is modified to the effect that the petitioner shall execute a personal bond for a sum of Rs.5,00,000/- (Rupees Five Lakhs only) along with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.III, Dindigul. In respect of other conditions, the order of the learned Judicial Magistrate No.III shall remain unaltered.

Sd/
Assistant Registrar(CO)

/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 Judicial Magistrate No.III, Dindigul.
- 2.The Inspector of Police,
Dindigul Town South Police Station, Dindigul.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl. R.C.(MD)No.182 of 2021
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MRN
PK/16.03.2021 : 2P/4C