



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.05.2021

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WEB COPY

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.O.P. (MD)No.6944 of 2021

1. Gunasekaran @ Gunasekagaran

2. Subash

....Petitioners/Accused Nos.1 & 2

Vs

The Inspector of Police
Thirupalakudi police station
Ramanathapuram District
Crime No.83/2021

....Respondent/Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 read with 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed by Learned Vacation Sessions Judge (Principal Sessions Judge) Ramanathapuram in Crl.M.P.No.53 of 2021 dated 13.05.2021 regarding deposit of amounts to the respective accounts.

For Petitioners : Mr.RM.Arun Swaminathan

For Respondent : Mr.M.Muthu Manickam
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed by the learned Vacation Sessions Judge (Principal Sessions Judge), Ramanathapuram in Crl.M.P.No.53 of 2021 dated 13.05.2021 regarding deposit of amounts to the respective accounts.

2.Since the petitioners had illegally transported one unit of river sand, the learned Vacation Sessions Judge (Principal Sessions Judge), Ramanathapuram, has imposed a cost of Rs.50,000/- each to the credit of the District Mineral Foundation Trust, Ramanathapuram and Rs.50,000/- each to the credit of the Dean, Ramanathapuram Government Headquarters Hospital, for the purpose of Covid-19 without prejudice to their rights and contentions before the trial Court. To modify this condition, the present petition has been



3.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

4.Considering the facts set out in the modification petition, this Court is inclined to modify the condition imposed in Crl.M.P.No.53 of 2021, dated 13.05.2021 to the following effect:

'The petitioners shall deposit a sum of Rs.30,000/- each to the credit of Account No.37190168110 of the District Mineral Foundation Trust, Ramanathapuram and Rs.30,000/- each to the credit of Account No. 1623104000102087 in favour of the Dean, Ramanathapuram Government Headquarters Hospital, for the purpose of Covid-19 without prejudice to their rights and contentions before the trial Court".

5.In all other aspects, the order passed in Crl.M.P.No.53 of 2021 dated 13.05.2021 shall stand unaltered.

6.With the above modification, this Criminal Original Petition is allowed accordingly.

Sd/-

Assistant Registrar (CS-III)

// 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.

Msa/CM

To

1.The Principal District and Sessions Judge,
Ramanathapuram.

2.The Inspector of Police
Thirupalakudi Police Station
Ramanathapuram District



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

COPY TO:

1.The Officer Incharge,
District Mineral Foundation Trust,
Ramanathapuram.

2.The Dean,
Ramanathapuram Government Headquarters Hospital,
Ramanathapuram.

Crl.O.P. (MD)No.6944 of 2021

19.05.2021

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