



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.07.2021**

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THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI****Cr1.R.C(MD)No.380 of 2021**

WEB COPY

Boomirajan

: Petitioner/Petitioner

Vs.

1.The State through

The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.
(Crime No.46 of 2021)

2.The Tahsildar,

Taluk Office,
Ramanathapuram.

3.The Assistant Director,

Geology and Mining Department,
Collectorate Complex,
Ramanathapuram District.

4.The Revenue Divisional Officer,
Ramanathapuram.

: Respondents/Respondents

Prayer : This Criminal Revision has been filed under section 397 r/w 401 of Criminal Procedure Code, against the order, dated 07.04.2021 made in Cr.M.P No.741 of 2021 on the file of the Principal Sessions Judge, Ramanathapuram, in respect of conditions (3) & (6) are concerned and for consequential order.

For Petitioner

: Mr.C.Senthil Kumar

For Respondents

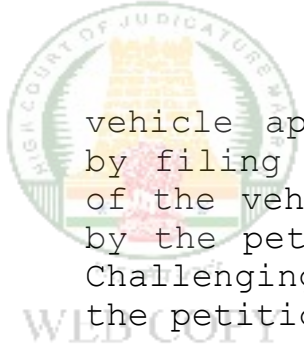
: Mr.RMS.Sethuraman

Counsel for State Government
(Criminal side)

ORDER

This Criminal Revision has been filed against the order, dated 07.04.2021 made in Cr.M.P No.741 of 2021 on the file of the Principal Sessions Judge, Ramanathapuram, in respect of conditions (3) & (6) are concerned and for consequential order.

2.The petitioner claims to be the owner of the Tractor TN-65-AH-6351. The 1st respondent police intercepted the alleged vehicle of the petitioner and seized the same in connection with a case in Crime No.46 of 2021 for the offence under section 21(1) of Mines and Minerals (Development and Regulation) Act. The seized vehicle has been produced before the Principal Sessions Judge, Ramanathapuram. The petitioner, being the owner of the seized



vehicle approached the Principal Sessions Judge, Ramanathapuram, by filing a petition in Cr.MP No.741 of 2021 for interim custody of the vehicle. The learned Judge allowed the said petition filed by the petitioner, on 07.04.2021, by imposing certain conditions. Challenging the condition Nos.3 and 6 imposed by the trial Court, the petitioner is before this Court with this criminal revision.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.It is the contention of the petitioner that the original RC Book of the alleged vehicle has already been hypothecated with HDFC Bank, Ramanathapuram and hence, he could not produce the same before the trial court and he is ready to produce the certified copy of the RC book at the time of furnishing sureties and that the 3rd condition imposed by the trial court to deposit Rs.50,000/- to the credit of District Minerals Foundation Trust, Ramanathapuram is onerous.

5.In view of the above facts, this Criminal Revision is partly allowed. The order of the learned Principal Sessions Judge, Ramanathapuram made in Cr.M.P.No.741 of 2021, dated 07.04.2021 is modified respect of condition Nos.3 and 6. In respect of 3rd condition, it is modified that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five thousand) to the credit of the District Minerals Foundation Trust, Ramanathapuram and in respect of 6th condition, it is modified that the petitioner is directed to produce the certified copy of the RC Book at the time of furnishing sureties. In respect of other conditions, the order of the learned Principal District Judge, Ramanathapuram shall remain unaltered.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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

<https://hcservices.courts.gov.in/csp/cas/>
The Principal Sessions Judge,
Ramanathapuram District.



2.The Inspector of Police,
Devipattinam Police Station,
Ramanathapuram District.

3.The Tahsildar,
Taluk Office, Ramanathapuram.

4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex, Ramanathapuram District.

5.The Revenue Divisional Officer,
Ramanathapuram.

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

Crl.R.C(MD)No.380 of 2021

15.07.2021

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