



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 30.06.2021
CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**
Crl.R.C(MD)No.416 of 2021

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Selvam

... Petitioner

Vs.

State Rep.by
The Inspector of Police,
Thirupunnavasal Police Station,
Pudukottai District.
(Crime No.19 of 2019)

...Respondent

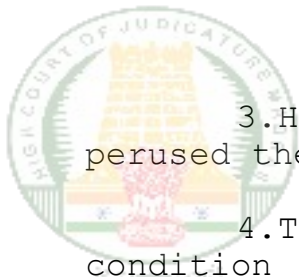
Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the condition No.4 of the order passed by the Principal District and Sessions Court, Pudukottai in Cr.M.P.No.1674 of 2021, dated 29.04.2021 insofar directing the petitioner to produce the R.C.Book before the Judicial Magistrate, Aranthangi.

For Petitioner : Mr.T.Lenin Kumar
For Respondent : Mr.RMS.Sethuraman,
Counsel for State Government

O R D E R

This petition has been filed to modify the condition No.4 imposed by the learned Principal District and Sessions Judge, Pudukottai in the order passed in Cr.M.P.No.1674 of 2021, dated 29.04.2021.

2.The petitioner claims to be the owner of the Ashok Leyland Dost bearing Registration No.TN-65-P-9262. On 01.09.2019, the respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand without any valid permit and registered a case in Crime No.19 of 2019 under Section 379 IPC and Section 21(1) (2) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Principal District and Sessions Judge, Pudukottai, by way of filing a petition in Cr.M.P.No.1674 of 2021 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 29.04.2021, by imposing the 4th condition to the effect that the petitioner was directed to produce the original R.C.Book before the learned Judicial Magistrate, Aranthangi. Challenging the 4th condition 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. The only grievance of the petitioner is that the 4th condition imposed by the learned Principal District and Sessions Judge, Pudukottai, is onerous.

(*)5. In view of that, this Criminal Revision is allowed. The order of the learned Principal District and Sessions Judge, Pudukottai, made in Cr.M.P.No.1674 of 2021, dated 29.04.2021 is modified in respect of the 4th condition alone and it is modified to the effect that the petitioner is directed to produce the attested copy of the R.C.Book attested by the financier before the learned Judicial Magistrate, Aranthangi. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Pudukottai shall remain unaltered.

Sd/-

Assistant Registrar(CO)

**(*) Corrected as per the order of this Court
dated 20/07/2021 made in CRC RC 416/2021.**

Sd/-

Assistant Registrar(AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsd

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

(*) to be substituted to the order already despatched on 08/07/2021

1. The Principal District and Sessions Court,
Pudukottai.

2. The Judicial Magistrate, Aranthangi, Pudukkottai District.

3. The Inspector of Police,
Thirupunnavasal Police Station,
Pudukottai District.



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

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(CO)

TR(07.07.2021) 3P 5C

RD (23.07.2021) 3P 5C