



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2021

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WEB COPY

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C (MD)No.438 of 2021

M.Pakkiyaraj

... Petitioner/Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Siruganur Police Station,
Trichy District.
(Crime No.399 of 2021)

...Respondent/Respondent

Prayer : This Criminal Revision filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the impugned order, dated 15.06.2021 passed by the Principal District and Sessions Judge, Tiruchirapalli in Cr.M.P.No.1925 of 2021 and set-aside the same and by allowing the revision petition.

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondent : Mr.P.Kottaichamy
Standing Counsel
for State Government (Crl.side)

O R D E R

This Criminal Revision Case has been filed to set aside the order passed in Cr.M.P.No.1925 of 2021, dated 15.06.2021 on the file of the learned Principal District and Sessions Judge, Tiruchirapalli.

2.The petitioner claims to be the owner of the JCB (Catepillar India Private Limited) bearing Registration No.TN-48-AM-6233. The respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal gravel sand without any valid permit and registered a case in Crime No.399 of 2021 under Section 379 IPC. Subsequently, the petitioner has approached the learned Principal District and Sessions Judge, Tiruchirapalli, by way of filing a petition in Cr.M.P.No.1925 of 2021 for release of the vehicle and



the learned judge has allowed the petition filed by the petitioner by its order dated 15.06.2021, by imposing onerous conditions. Challenging the said order, the petitioner is before this Court with this petition.

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 conditions imposed by the learned Principal District and Sessions Judge, Tiruchirapalli, are onerous.

5. In view of that, this Criminal Revision is partly allowed. The order of the learned Principal District and Sessions Judge, Tiruchirapalli, made in Cr.M.P.No.1925 of 2021, dated 15.06.2021 is set aside in respect of the 1st condition alone and it is modified to the effect that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the District Mineral Foundation Trust, Tiruchirappalli, as non refundable deposit. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Tiruchirapalli, shall remain unaltered.

Sd/-

Assistant Registrar (AD II)

// True Copy //

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Sub Assistant Registrar (CS)

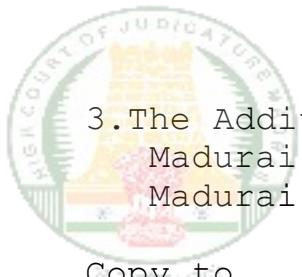
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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Principal District and Sessions Judge,
Tiruchirapalli.

2. The Inspector of Police,
Siruganur Police Station,
Trichy District.



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

Copy to
The Officer Incharge,
District Mineral Foundation Trust,
Tiruchirappalli.

Crl.R.C (MD)No.438 of 2021
07.07.2021

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