



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2021

CORAM

THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.450 of 2021

WEB COPY

Sivanesan

... Petitioner

Vs.

1. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukottai District.

2. State Rep. by
The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukottai District.

...Respondents

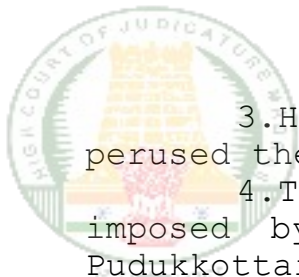
Prayer : This Criminal Revision is filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order passed by the Principal District and Sessions Court, Pudukottai in Crl.M.P.No.2169 of 2021, dated 22.06.2021 and set aside the condition insofar directing the petitioner to deposit a sum of Rs.20,000/- as cash security.

For Petitioner	: Mr.T.Lenin Kumar
For Respondents	: Mr.P.Kottaichamy Standing Counsel for State Government

ORDER

This Criminal Revision Case has been filed to modify the onerous condition of deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) as cash security imposed by the learned Principal District and Sessions Judge, Pudukkottai in the order passed in Crl.M.P.No.2169 of 2021, dated 22.06.2021.

2.The petitioner claims to be the owner of the Bullock Cart. On 27.05.2021, the respondent police seized the Bullock Cart on the ground that it was used for committing the offence of transporting the illegal sand. Subsequently, the petitioner has approached the learned Principal District and Sessions Judge, Pudukkottai, by way of filing a petition in Crl.M.P.No.2169 of 2021 by its order, dated 22.06.2021, by imposing the condition to the effect that the petitioner under took to remit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as non refundable amount to the following account of the Tamil Nadu Chief Minister's Relief Fund. Challenging the said 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 conditions imposed by the learned Principal District and Sessions Judge, Pudukkottai, is onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Principal District and Sessions Judge, Pudukkottai, made in Crl.M.P.No.2169 of 2021, dated 22.06.2021 is set aside in respect of the condition (a) alone and it is modified to the effect that the petitioner under takes to remit a sum of Rs.5,000/- (Rupees Five Thousand only) as non refundable amount to the following account of the Tamil Nadu Chief Minister's Relief Fund. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Pudukkottai, shall remain unaltered.

Sd/-

Assistant Registrar (CS I)

// 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

1. The Principal District and Sessions Court,
Pudukkottai.
2. The Tahsildar,
Avudaiyarkovil Taluk,
Pudukkottai District.
3. The Inspector of Police,
Avudaiyarkoil Police Station,
Pudukkottai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
5. The Officers Incharge
Tamilnadu Chief Minister's Relief Fund,
Secretariat, Chennai

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RC (20.07.2021) 2P-6C