



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Wednesday, the Twenty Eighth day of July,
Two Thousand and Twenty One

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CORAM :

The Hon'ble Mrs.Justice T.KRISHNAVALLI

CRL MP(MD).No.5154 of 2021
in CRL RC(MD).No.173 of 2021

Raja ...Petitioner/Petitioner/Petitioner/Owner of the Vehicle

- Vs. -

State Rep.by The Sub Inspector of Police,
Kallaperambur Police Station, Thanjavur District.
(Crime No.467 of 2020).

...Respondent / Respondent / Respondent / Complainant

Prayer in CRL MP(MD).No.5154 of 2021 :

Criminal Miscellaneous Petition is filed under section 482 of Criminal procedure Code, praying this Hon'ble Court to modify the condition No.3 i.e. to deposit Rs.1,00,000/- to the credit of Crime No.467 of 2020 before the Learned Principal Sessions Judge, Thanjavur within a period of two weeks from the date of receipt of a copy of this order imposed in Crl.R.C.(MD).No.173 of 2021 dated 08.03.2021.

Prayer in CRL RC(MD).No.173 of 2021 :

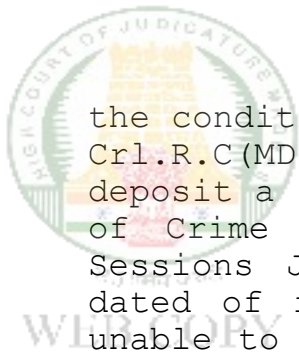
Criminal Revision Case is filed under section 397 and 401 of Criminal Procedure Code, praying this Hon'ble Court to call for the records pertaining to the order dated 16.12.2020 made in CR.M.P.No.5001 of 2020 in Crime No.467 on the file of the learned Principal Sessions Judge (FAC), Thanjavur and to set aside the same.

ORDER:-

Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.Sivabalan, Advocate for the Petitioner and of Mr.RMS.Sethuraman, Standing Counsel For the State On Behalf of the Respondent, this Court made the following order:

This petition is filed to modify the condition No.(iii) made in paragraph No.6 of the order passed in Crl.R.C(MD)No.173 of 2021.

2.The learned counsel appearing for the petitioner submitted that this Court allowed the Criminal Revision Petition by imposing



the condition no.(iii) made in paragraph No.6 of the order passed in Crl.R.C(MD)No.173 of 2021 to the effect that 'the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One lakh only) to the credit of Crime No.467 of 2020 on the file of the learned Principal Sessions Judge, Thanjavur within a period of two weeks from the dated of receipt of a copy of the order'. But the petitioner is unable to mobilize Rs.1,00,000/- (Rupees One lakh only) due to his financial stragulations. Hence, he unable to pay the deposit amount within the stipulated time. Therefore, he seeks to modify the said condition.

3.The learned counsel for State Government (Crl.side) appearing for the respondent has strongly opposed to modify the condition.

4.Taking into consideration, the submissions made by both the learned counsel, this petition is allowed and in the (iii)rd condition, it is modified to the effect that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) to the credit of Crime No.467 of 2020 on the file of the learned Principal Sessions Judge, Thanjavur within a period of two weeks from the dated of receipt of a copy of this order. In respect of other conditions, the order dated 08.03.2021, in Crl.R.C(MD)No.173 of 2021, shall remain unaltered.

Sd/-

Assistant Registrar(CS-II)

// 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.

To

- 1 The Principal Sessions Judge, Thanjavur.
- 2 The Sub Inspector of Police,
Kallaperambur Police Station, Thanjavur District.
- 3 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to Mr.K.SIVABALAN, Advocate SR.No. 24499



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CRL MP(MD).No.5154 of 2021

ORDER DATED : 28/07/2021

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ORDER

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CRL MP(MD) .No.5154 of 2021
in
CRL RC(MD) .No.173 of 2021

Giving direction and etc.
as stated within.

NS (CO)
TR(09.08.2021) 3P 5C