



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G. ILANGO VAN

Crl.O.P(MD)No.14762 of 2021 and

Crl.MP(MD) No.7836 of 2021

WEB COPY

P.Palanikumar ... Petitioner/owner of the vehicle

Vs

1.The State through the Inspector of Police,
Kamuthi Police Station,
Ramanathapuram,
(Crime No.311 of 2021).

2.The Revenue Divisional Officer,
Paramakudi.

3.The Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.

4.The Tahsildar,
Taluk Office,
Kamuthi.

... Respondents/Complainants

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition to deposit a sum of Rs.25,000/- instead of 60,000/-, which were imposed by the Principal Sessions Court, Ramanathapuram, by order dated 05.08.2021 in Cr.M.P.No.1183 of 2021 (CNR No.TNRM01-001561-2021).

For Petitioner	: Mr.P.Saravanan
For Respondents	: Mr.R.M.Anbunithi
	Additional Public Prosecutor

ORDER

This petition has been filed seeking modification of the order passed by the learned Principal Sessions Judge, Ramanathapuram, in Cr.M.P.No.1183 of 2021 in CNR No.TNRM01-001561-2021 on 05.08.2021.

2. By the above said order, the learned Sessions Judge has imposed a condition to deposit a sum of Rs.60,000/- as cost to District Legal Services Authority, Ramanathapuram as environmental fund, which has been created as per order of this Court in CRP(NPD) No.1643 of 2010, dated 20.06.2018. The learned counsel for the petitioner would submit that the vehicle has been hypothecated to



the financier. He would further submit that in similar situation, this Court passed an order in pursuant to the conditional order that has been passed by the Special Court.

3. Even though, the petitioner has to approach the concerned court for modification of the same, since the same may not be permissible as review is not permissible, considering the offence that has been urged against the petitioner, the condition imposed on the petitioner to deposit a sum of Rs.60,000/- is modified to Rs.40,000/- (Rupees Forty Thousand only) and in other aspects, the order passed by the trial court shall stand. The modified amount shall be deposited by the petitioner within a period of 15 days from the date of receipt of a copy of this order.

4. With the above said modification and direction, this Criminal Original Petition is partly allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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,
Ramanathapuram.
2. The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram,
3. The Revenue Divisional Officer,
Paramakudi.
4. The Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.



5.The Tahsildar,
Taluk Office,
Kamuthi.

Copy To:-

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

+1 CC to M/s.P.SARAVANAN, Advocate (SR-33418[F] dated 01/11/2021)

Crl.O.P(MD)No.14762 of 2021 and

Crl.MP(MD) No.7836 of 2021

28.10.2021

SRK(CO)

GC/PM(12.11.2021) 3P 8C