



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.09.2021
CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

WEB COPY

Crl.R.C(MD)No.584 of 2021

M.Selvi

... Petitioner

Vs.

- 1.The State through
The Inspector of Police,
Kamuthi Police Station.
(Cr.No.105 of 2021)
- 2.The Tahsildar,
Taluk Office,
Kamuthi.
- 3.The Revenue Divisional Officer,
Paramakudi.
- 4.The Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.

...Respondents

Prayer : This Criminal Revision is filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the impugned ''condition No.3'' made in the order passed in Cr.M.P.No.1118 of 2021 on the file of the Principal Sessions Judge of Ramanathapuram, dated 14.07.2021 by allowing the Criminal Revision Petition.

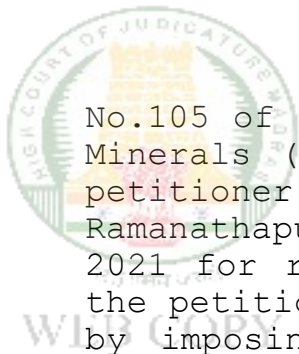
For Petitioner : Mr.K.R.Laxman

For Respondents : Mr.RMS.Sethuraman
Counsel for State Government
(Crl.side)

O R D E R

This petition is filed to modify the ''condition No.3 '' imposed by the learned Principal Sessions Judge, Ramanathapuram in the order passed in Cr.M.P.No.1118 of 2021, dated 14.07.2021.

2.The petitioner claims to be the owner of the Lorry bearing Registration No.TN-57-D-1999. The respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand and registered a case in Crime



No.105 of 2021 under Section 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Ramanathapuram, by way of filing a petition in Cr.M.P.No.1118 of 2021 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 14.07.2021, by imposing the 3rd condition to the effect that the petitioner should deposit a sum of Rs.1,25,000/- to the credit of the District Minerals Foundation Trust, Ramanathapuram and the petitioner should produce the receipt for the deposit of the same from the concerned Authority at the time of furnishing security before the trial Court. Challenging the conditions 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 3rd condition imposed by the learned Principal Sessions Judge, Ramanathapuram is onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Principal Sessions Judge, Ramanathapuram, made in Cr.M.P.No.1118 of 2021, dated 14.07.2021 is modified in respect of the 3rd condition is alone and in the 3rd 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 the District Minerals Foundation Trust, Ramanathapuram and the petitioner shall produce the receipt for the deposit of the same from the concerned Authority at the time of furnishing security before the trial Court. In respect of other conditions, the order of the learned Principal Sessions Judge, Ramanathapuram, shall remain unaltered.

Sd/-

Assistant Registrar (T&P)

// 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 Sessions Court,
Ramanathapuram.

2.The Inspector of Police,
Kamuthi Police Station.

3.The Tahsildar,
Taluk Office,
Kamuthi.

4.The Revenue Divisional Officer,
Paramakudi.

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

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

Copy to

The District Minerals Foundation Trust,
Ramanathapuram.

+1 CC to M/s.K.R.LAXMAN, Advocate (SR-28303[F] dated 06/09/2021)

CrI.R.C(MD)No.584 of 2021
02.09.2021

RK (16.09.2021) 3P 9C