



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2021

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WEB COPY

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

Crl.R.C(MD)No.609 of 2021

M.Mariya Packiya Rani

... Petitioner/Petitioner/  
Owner of the Vehicle

Vs.

State through  
The Inspector of Police,  
Manapparai Police Station,  
Trichy District.  
(Crime No.869 of 2021)

...Respondent/Respondent/  
Complainant

**Prayer :** This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and to set aside the condition No.6 of the order passed by the Principal District and Sessions Court, Trichy in Cr.M.P.No.2911 of 2021, dated 09.08.2021 insofar directing the petitioner to produce the R.C.Book before the Judicial Magistrate, Manapparai.

For Petitioner : Mr.M.Arumugam

For Respondent : Mr.RMS.Sethuraman,

Counsel for State Government (Crl.side)

**O R D E R**

This petition has been filed to modify the condition No.6 imposed by the learned Principal District and Sessions Judge, Tiruchirappalli in the order passed in Cr.M.P.No.2911 of 2021, dated 09.08.2021.

2.The petitioner claims to be the owner of the Bharath Benze Tipper Lorry bearing Registration No.TN-45-BT-9559. On 13.07.2021, the respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand without any valid permit and registered a case in Crime No.869 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 District and Sessions Judge, Tiruchirappalli, by way of filing a petition in Cr.M.P.No.2911 of 2021 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 09.08.2021, by imposing the 6<sup>th</sup> condition to the effect that



the petitioner should produce all the documents of ownership and surrender the original R.C.Book before the concerned Judicial Magistrate. Challenging the 6<sup>th</sup> 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 6<sup>th</sup> condition imposed by the learned Principal District and Sessions Judge, Tiruchirappalli, is onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Principal District and Sessions Judge, Tiruchirappalli, made in Cr.M.P.No.2911 of 2021, dated 09.08.2021 is modified in respect of the 6<sup>th</sup> condition alone and it is modified to the effect that the petitioner is directed to produce the attested copy of the R.C.Book received from the Bank before the concerned Judicial Magistrate. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Tiruchirappalli, shall remain unaltered.

Sd/-

Assistant Registrar(AE)

// 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 Judge,  
Tiruchirappalli.
- 2.The Judicial Magistrate,  
Manapparai.
- 3.The Inspector of Police,  
Manapparai Police Station,  
Trichy District.



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

+1 CC to M/s.M.ARUMUGAM, Advocate ( SR-28457[F] dated 07/09/2021 )

CrI.R.C(MD)No.609 of 2021  
07.09.2021

PS (CO)  
TR(08.09.2021) 3P 6C