



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

Date : 19/11/2021

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR
CRL OP(MD). No.15495 of 2021

WEB COPY

Gopal,
S/o.Veerappan.

... Petitioner/Accused

Vs

The Inspector of Police,
K.Pudupatty Police Station,
Pudukkottai District.
Crime No.172/2021..

... Respondent/Complainant

PETITION FILED Under Sec.439(1) (B) r/w 482 of Cr.P.C

PRAYER :-

To Modify the order passed by the learned Principal District and Sessions Judge, Pudukkottai in Cr.M.P.No.3455 of 2021, dt. 2/9/2021 suitably.

For Petitioner : Mr.M.Fernand,
Advocate.

For Respondent : Mr.Vaikkam Karunanithi,
Government Advocate (Crl.Side)

ORDER : The Court made the following order :-

The petitioner has filed this petition to modify the condition imposed by the Principal District and Sessions Court, Pudukkottai in Crl.M.P.No.3455 of 2021 dated 02.09.2021, directing the petitioner to deposit a sum of Rs.20,000/- in favour of Tamil Nadu Chief Minister's Relief Fund.

2.The learned counsel for the petitioner would submit that the petitioner is coming from a poor family and he is the bread winner of the family and due to pandemic situation, he was not able to attend the work and therefore he is not in a position to deposit the amount of Rs.20,000/-.

3.It is seen from the records that the Principal Sessions Judge has passed the impugned order, returning the bullock cart allegedly seized in Cr.No.172 of 2021 of respondent police for the offence under Section 379 IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act, 1957.



4.Considering the reasons assigned and also the quantum of amount imposed by the learned Principal District & Sessions Judge, Pudukottai, this Court is inclined to modify the condition and the petitioner is to be directed to deposit Rs.10,000/- in favour of the Tamil Nadu Chief Minister's Relief Fund.

5.This petition is partly allowed and the other conditions in CrI.M.P.No.3455 of 2021 dated 02.09.2021 shall remain unaltered.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PNM

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,
Pudukottai
- 2.The Inspector of Police,
K.Pudupatty Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 4.The Officer in charge,
TamilNadu Chief Minister's Relief fund,
Secretariate, Fort St.George, Chennai.

CRL OP(MD) No.15495 of 2021

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