



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

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

CrI.R.C(MD)No.689 of 2021

Muthaiah

... Petitioner/Petitioner/Petitioner

Vs.

The State through
The Inspector of Police,
Annavasal Police Station,
Pudukottai.

(In Cr.No.589 of 2021)

...Respondent/Respondent/Respondent

Prayer : This Criminal Revision is filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order passed by the Principal District and Sessions Judge, Pudukottai in Cr.M.P.No.3203 of 2021, dated 17.08.2021 and set aside the condition insofar directing the petitioner to deposit a sum of Rs.20,000/- as cash security.

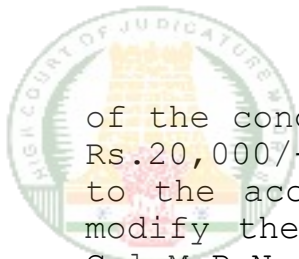
For Petitioner : Mr.A.Arul Jenifer

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

This Criminal Revision Petition has been filed to set aside the order passed by the learned Principal District and Sessions Judge, Pudukkottai in the order passed in CrI.M.P.No.3203 of 2021, dated 17.08.2021.

2.The petitioner claims to be the owner of the Bullock Cart. On 09.07.2021, the respondent police seized the Bullock Cart on the ground that it was used for committing the offence of transporting the illegal sand and registered a case in Crime No.589 of 2021 under Section 379 IPC r/w 21(1) and 21(2) of Mines and Minerals (Development and Regulations) Act, 1957. Seeking return of the said Bullock Cart, the petitioner has approached the learned Principal District and Sessions Judge, Pudukkottai, by way of filing a petition in CrI.M.P.No.2660 of 2021 for release of the bullock Cart. The learned judge has allowed the petition filed by the petitioner by its order, dated 22.07.2021, by imposing certain conditions. One



of the conditions is that the petitioner undertook to remit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as non refundable amount to the account of the Tamil Nadu Chief Minister's Relief Fund. To modify the said condition, the petitioner has filed a petition in Crl.M.P.No.3203 of 2021 before the learned Principal District and Sessions Judge, Pudukkottai. The learned judge, by order dated 17.08.2021 has dismissed the same. Challenging the said order, 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 condition No.7(a) imposed by the learned Principal District and Sessions Judge, Pudukkottai, is onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Principal District and Sessions Judge, Pudukkottai, made in Crl.M.P.No.3203 of 2021, dated 17.08.2021 is set aside and the condition No.7(a) imposed in Crl.M.P.No.2660 of 2021, dated 22.07.2021 is modified to the effect that the petitioner undertakes to remit a sum of Rs.5,000/- (Rupees Five Thousand only) as non refundable amount to the following account of the Tamil Nadu Chief Minister's Relief Fund. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Pudukkottai, shall remain unaltered.

Sd/-

Assistant Registrar(CS-III)

// 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 Court,
Pudukottai.
- 2.The Inspector of Police,
Annavasal Police Station,
Pudukottai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to
The Officer Incharge,
Chief Ministers Public Relief Fund,
Finance(CMPRF) Department,
Government of Tamil Nadu,
Secretariat, Chennai 600 009.

CrI.R.C (MD) No.689 of 2021
27.09.2021

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