



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2021

CORAM

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

Cr1.R.C(MD)No.673 of 2021

Ramalakshmi

... Petitioner

Vs.

The State Rep. by
The Sub Inspector of Police,
Civil Supplies Criminal Investigation Department (CSCID - Madurai),
Virudhunagar Police Station,
Virudhunagar District.
(In Cr.No.52 of 2021)

... Respondent

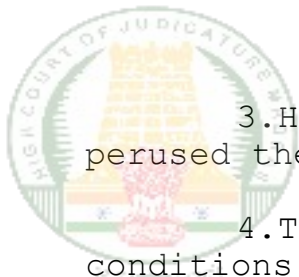
Prayer: This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to order, dated 05.08.2021 passed by the Judicial Magistrate No.1, Virudhunagar in Cr.M.P.No.2760 of 2021 and set aside the same insofar as the condition Nos.1 and 3 by allowing the above Criminal Revision Petition.

For Petitioner	: Mr.A.Jaber Sathick
For Respondent	: Mr.RMS.Sethuraman, Additional Public Prosecutor

O R D E R

This petition has been filed to modify the condition Nos.1 and 3 imposed by the learned Judicial Magistrate No.I, Virudhunagar in the order passed in Cr.M.P.No.2760 of 2021, dated 05.08.2021.

2.The petitioner claims to be the owner of the Honda Dio two wheeler bearing Registration No.TN-58-BB-9066. On 17.04.2021, the respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for transporting 23 bags of PDS rice illegally and registered a case in Crime No.52 of 2021 under Sections 6(4) of TN Scheduled Commodities (RDCS) Order, 1982 r/w Section 7(1)(a)(ii) of Essential Commodities Act, 1955. Subsequently, the petitioner has approached the learned Judicial Magistrate No.I, Virudhunagar, by way of filing a petition in Cr.M.P.No.2760 of 2021 for release of the vehicle and the learned judge has allowed the petition filed by the petitioner by its order, dated 05.08.2021, by imposing the 1st condition to the effect that the petitioner was directed to deposit a sum of Rs.50,000/- to the credit of Cr.No.52 of 2021 and the 3rd condition to the effect that the petitioner should execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand only) with two sureties. 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 1st and 3rd conditions imposed by the learned Judicial Magistrate No.I, Virudhunagar, are onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Judicial Magistrate No.I, Virudhunagar, made in Cr.M.P.No.2760 of 2021, dated 05.08.2021 is modified in respect of the 1st and 3rd conditions are alone and in the 1st condition is modified to the effect that the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen thousand only) to the credit of Cr.No.52 of 2021 and the 3rd condition is modified to the effect that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen thousand only) with two sureties. In respect of other conditions, the order of the learned Judicial Magistrate No.I, Virudhunagar, shall remain unaltered.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Judicial Magistrate No.1,
Virudhunagar.

2.The Sub Inspector of Police,
Civil Supplies Criminal Investigation Department(CSCID-Madurai),
Virudhunagar Police Station,
Virudhunagar District.

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

+1 CC to M/s.A.JABER SATHICK, Advocate (SR-30631 dated 29/09/2021)

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27.09.2021

RS (04.10.2021) 2P 5C

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