



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 29.01.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.717 of 2020

Nagarajan

.. Petitioner / Petitioner

Vs.

1.The Assistant Director,
Mines and Minerals,
Ramanathapuram District.

2.The State through
The Inspector of Police,
Parthibanur Police Station,
In Crime No.132 of 2019.

.. Respondents / Respondents

Prayer : This criminal revision case is filed under Sections 397 and 401 of Cr.P.C., to call for the records relating to the order passed in Cr.M.P.No.1998 of 2020 on the file of the Principal Sessions Judge, Ramanathapuram, dated 02.09.2020 and to set aside the same.

For Petitioner : Mr.R.Murali

For Respondents : Mr.Bharathi Kannan
Government Advocate

ORDER

This revision has been filed to quash the order passed in Cr.M.P.No.1998 of 2020 on the file of the Principal Sessions Judge, Ramanathapuram, dated 02.09.2020.

2.A vehicle, viz., Tractor bearing Registration No.TN-65-R-5289 and Trailer TN-65-M-4263 was seized by the second respondent police in Crime No.132 of 2019. The petitioner claiming himself as the owner of the vehicle filed a petition in Cr.M.P.No.1998 of 2020 for return of the vehicle before the Principal Sessions Judge, Ramanathapuram. That petition was allowed by the trial Court on certain conditions. The petitioner preferred this Revision against condition No.3.

3.On the side of the petitioner, it is stated that in the condition No.3 imposed by the trial Court that the petitioner has to deposit a sum of Rs.50,000/- to the Credit of District Minerals



Foundation Trust, Ramanathapuram, which is exorbitant and the petitioner is a physically challenged person, who could not raise such a huge amount and prayed the condition to be relaxed.

4. On the side of the respondents, it is admitted that the petitioner is a physically challenged person, but, it is stated that the amount imposed by the trial Court is reasonable and prayed the petition to be dismissed.

5. It is seen that the trial Court has imposed a condition to deposit a sum of Rs.50,000/- to the Credit of District Minerals Foundation Trust, Ramanathapuram. Since the petitioner is a physically challenged person, this Court is inclined to modify the condition No.3, as follows:

"The petitioner shall deposit a sum of **Rs.30,000/- (Rupees Thirty Thousand only)** to the Credit of District Minerals Foundation Trust, Ramanathapuram".

In respect of other conditions, the order of the Principal Sessions Judge shall remain unaltered. This Criminal Revision Case is disposed of.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls

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 Judge,
Ramanathapuram.
- 2.The Assistant Director,
Mines and Minerals,
Ramanathapuram District.
- 3.The Inspector of Police,
Parthibanur Police Station.



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

5.The Officer Incharge,,
District Mineral Foundation Trust,
Ramanathapuram.

+1 CC to M/s.R.MURALI, Advocate (SR-3144[F] dated 03/02/2021)

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29.01.2021

TP (CO)

TR(11.02.2021) 3P 7C