



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 18.11.2021

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WEB COPY

THE HONOURABLE MRS. JUSTICE R. THARANI

CrI. R.C.(MD)No.840 of 2021

Murugan ... Petitioner/Petitioner/Owner of the Vehicle

Vs.

- 1.The Inspector of Police,
Parthibanur Police Station,
Parthibanoor,
In Crime No.03/2021
- 2.The Revenue Divisional Officer,
Paramakudi.
- 3.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Tahsildar,
Taluk Office,
Paramakudi.

... Respondents/Respondents

Prayer : This criminal revision case is filed under Sections 397 of Cr.P.C., to call for the records and to set aside and modify the conditions imposed by the Principal Sessions Judge, Ramanathapuram, in Cr.M.P.No.2053 of 2021, dated 21.09.2021.

For Petitioner : Mr.T.Veldurai

For Respondents : Mrs.K.Asha
Government Advocate

ORDER

This revision has been filed to modify the condition imposed by the Principal Sessions Judge, Ramanathapuram, in Cr.M.P.No.2053 of 2021, dated 21.09.2021.

2.A vehicle, viz. Tractor and Trailer, bearing Registration No.TN-65-AV-0947 was seized by the first respondent police in Crime No.3 of 2021, under Sections 279, 353, 379 I.P.C and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. The petitioner claiming himself as the owner of the vehicle filed a petition in Cr.M.P.No.2053 of 2021, for temporary return of the vehicle before the Principal Sessions Judge, Ramanathapuram. That



petition was allowed by the Principal Sessions Judge, Ramanathapuram, on certain conditions. The petitioner has preferred this Revision against condition No.3.

3.On the side of the petitioner, it is stated that the petitioner was directed to remit Rs.60,000/- in favour of the District Legal Services Authority. The vehicle was the only source of income for the petitioner. The vehicle is kept idle for the past 10 months and the petitioner is not in a position to mobilize Rs.60,000/- and prayed the condition to be set aside.

4.On the side of the prosecution, it is stated that the vehicle was seized by the first respondent with a river sand worth Rs.3,000/- and the condition imposed by the Special Court is reasonable. The offence is against the Society and prayed the petition to be dismissed.

5. Though the vehicle is a Tractor and Trailer, the petitioner has filed a petition only for return of Tractor and not for the Trailer. The condition No.3 imposed by the Sessions Judge, is modified to the effect that the petitioner is directed to deposit Rs.50,000/- before the trial Court within a period of two weeks from the date of receipt of a copy of this order. In respect of other conditions, the order of the Principal Sessions Judge shall remain unaltered. This Criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

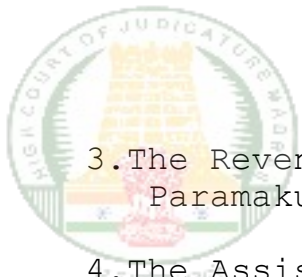
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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Principal Sessions Judge,
Ramanathapuram.

2.The Inspector of Police,
Parthibanur Police Station,
Parthibanoor,
In Crime No.03/2021



3.The Revenue Divisional Officer,
Paramakudi.

4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.

5.The Tahsildar,
Taluk Office,
Paramakudi.

6.The Officer in Charge,
District Legal Services Authority,
Ramanathapuram.

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

Crl. R.C. (MD) No.840 of 2021
18.11.2021

MGJ(30.11.2021) 3P 8C