



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

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THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.836 of 2021

Arockia Pradeepan

.. Petitioner/
Owner of the Vehicle

Vs.

- 1.The State rep. by
The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
(Crime No.129 of 2021)
- 2.The Revenue Divisional Officer,
Ramanathapuram District.
- 3.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Tahsildar,
Taluk Office,
Thiruvadanai.

(Respondents 2 to 4 herein were called
absent before the trial court.Hence,
notice may be given up)

.. Respondent/
Respondent

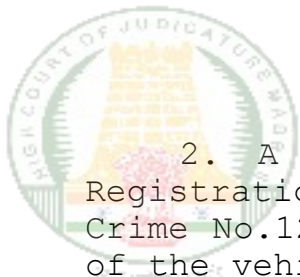
Prayer : This Revision Case is filed under Sections 397 r/w. Section 401 of Cr.P.C., to call for the records pertaining to the order passed in Cr.M.P.No.1920 of 2021, dated 07.10.2021, on the file of the Principal Sessions Judge, Ramanathapuram, to set aside and to modify the third condition.

For Petitioner
For Respondents

: Mr.B.Balasubramanian
: Mrs.M.Aasha
Government Advocate

ORDER

This Criminal Revision has been filed to call for the records pertaining to the order passed in Cr.M.P.No.1920 of 2021, dated 07.10.2021, on the file of the Principal Sessions Judge, Ramanathapuram, to set aside and to modify the third condition.



2. A vehicle, viz., goods carrier TATA Intra V20, bearing Registration No.TN-65-AK-5305 was seized by the first respondent, in Crime No.129 of 2021. The petitioner claiming himself as the owner of the vehicle filed a petition in Cr.M.P.No.1920 of 2021 before the Principal Sessions Judge, Ramanathapuram, for temporary return of the vehicle. That petition was allowed by the Principal Sessions Judge, Ramanathapuram, on 07.10.2021, with certain conditions. The petitioner has preferred this Revision against the condition No.(3), ie. for cash deposit of Rs.60,000/-.

3. On the side of the petitioner, it is stated that the vehicle is the only source of income for the petitioner. The vehicle is kept in the open place from 18.05.2021, the vehicle lost its value, if exposed to climatic conditions. The trial Court imposed the condition to deposit a sum of Rs.60,000/- in favour of District Legal Services Authority, Ramanathapuram, which is onerous and prayed the condition No.(3) to be set aside.

4. On the side of the prosecution, it is stated that the vehicle was seized by the respondent for transporting ¼ unit of river sand. The amount was directed to be deposited under the head of Environmental Fund for a meaningful purpose. The worth of the vehicle is Rs.10,00,000/- and the condition imposed is reasonable and prayed the petition to be dismissed.

5. In view of the submission made by the both sides, this Court is inclined to modify the condition No.(3) as follows:-

The petitioner is directed to deposit Rs.30,000/- to the credit of Crime No.129 of 2021 before the Principal Sessions Judge, Ramanathapuram and the second condition is **suo motu** modified. The petitioner is directed to execute a bond for a sum of Rs.2,00,000/- with two sureties for a like sum. In respect of other conditions, the order of the Principal Sessions Judge shall remain unaltered.

6. This Criminal Revision Case is partly allowed.

Sd/-

Assistant Registrar (CS II)

// 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

<https://hservices.eports.gov.in/hcservices/> the advocate/litigant concerned.



To

- 1.The Principal Sessions Judge,
Ramanathapuram District.
- 2.The Inspector of Police,
Thiruvadanai Police Station,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Ramanathapuram District.
- 4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram District.
- 5.The Tahsildar,
Taluk Office, Thiruvadanai,
Ramanathapuram District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 7.The Officer in Charge,
District Legal Services Authority,
Ramanathapuram,

Crl. R.C.(MD)No.836 of 2021
06.12.2021

MGJ(16.12.2021) 3P 8C