



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 03.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. RC(MD)No.855 of 2021

WEB COPY

Arun Satheeskumar

.. Revision Petitioner/Petitioner
Vs.

- 1.The State through
The Inspector of Police,
Thondi Police Station.
(Crime No.172/2021)
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Tahsildar,
Taluk Office,
Thiruvadanai.

.. Respondents/Complainants

Prayer : This criminal revision case is filed under Sections 397 r/w. 401 of Cr.P.C., to call for the records relating to the order passed by the Principal District and Sessions Court, Ramanathapuram in Crl.MP.No.1789/2021 dated 20.09.2021 and set aside the same.

For Petitioner	: Mr.A.Arputharaj
For Respondents	: Mrs.K.Asha
	Government Advocate

ORDER

This petition has been filed to set aside the order passed in Crl.MP.No.1789/2021 dated 20.09.2021, on the file of the Principal District and Sessions Court, Ramanathapuram.

2.A JCB bearing Registration No.TN 65 AL 4782 was seized by the respondent police in Crime No.172/2021 for the offence punishable under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act. Thereafter, the petitioner claiming himself as the owner of the vehicle, has approached the Principal District and Sessions Court, Ramanathapuram, by filing a petition for release of the vehicle and the learned Judge allowed the petition in Crl.M.P.No.1789/2021 on 20.09.2021, by imposing certain conditions. Challenging the condition no.3, the petitioner is before this Court with this revision case.



3. On the side of the petitioner, it is stated that the Court has directed the petitioner to deposit a sum of Rs.2,50,000/- in favour of the District Legal Services Authority and the petitioner is not able to mobilise the fund and prayed for the condition no.3 to be set aside.

WEB COPY

4. On the side of the respondents, it is stated that vehicle involved is JCB and the offence is against nature and society. The condition imposed by the Trial Court is reasonable and prayed for the petition to be dismissed.

5. Considering the submissions made by both parties, this Court is inclined to modify condition no.3, in respect of the amount alone. The petitioner is directed to deposit a sum of Rs.2,00,000/- instead of Rs.2,50,000/- within a period of two weeks from the date of receipt of a copy of this order. All other conditions imposed by the Trial Court shall remain unaltered. With the above modification, this Criminal Revision Case is disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mbi

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 & Sessions Judge,
Ramanathapuram.
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Tahsildar,
Taluk Office,

<https://hcservices.gov.in/hcservices/>



5.The Inspector of Police,
Thondi Police Station.

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

COPY TO: -

THE OFFICER INCHARGE,
DISTRICT LEGAL SERVICES AUTHORITY,
RAMANATHAPURAM.

Crl.RC(MD)No.855 of 2021
03.12.2021

NSN(CO)
GC(16.12.2021) 3P 8C