



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.12.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

WEB COPY

Crl. R.C.(MD)No.957 of 2021

Saravanan .. Petitioner/Owner of the Vehicle
Vs.

1.The State rep. by
The Inspector of Police,
Annavasal Police Station.
(Crime No.659 of 2021)

2.The Branch Manager,
Indusind Finance Ltd.,
T.S.No.6652P\$9954PC,
Hajee AMA Nagar,
Marthandapuram 3rd Veethi,
Pudhukottai Town,
Pudhukottai District.

.. Respondents

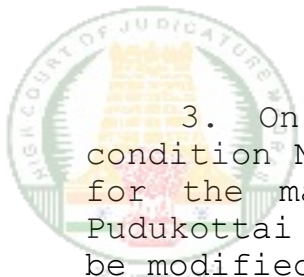
Prayer : This Revision Case is filed under Sections 397 r/w. Section 401 of Cr.P.C., to call for the records and to set aside the impugned condition 1 made in the impugned order, dated 30.11.2021 in Crl.M.P.No.4712 of 2021 on the file of the Principal Sessions Judge, Pudukottai and consequently to return the petitioner's vehicle namely, JCB (Earth moving machine), bearing Registration No.TN-55-BU-0958 to the petitioner forthwith.

For Petitioner	: Mr.P.Sureshkumar
For Respondents	: Mrs.M.Aasha
	Government Advocate

ORDER

This Criminal Revision Case has been filed to set aside the impugned "condition No.1" made in the impugned order, dated 30.11.2021 in Crl.M.P.No.4712 of 2021 on the file of the Principal Sessions Judge, Pudukottai and to return the petitioner's vehicle, viz., JCB.

2. A vehicle, viz.,JCB (Earth moving machine), bearing Registration No.TN-55-BU-0958 was seized by the first respondent, in Crime No.659 of 2021, for transporting gravel. The petitioner claiming himself as the owner of the vehicle filed a petition in Cr.M.P.No.4712 of 2021 before the Principal Sessions Judge, Pudukottai, for temporary return of the vehicle. That petition was allowed by the Principal Sessions Judge, Pudukottai, on 30.11.2021, with certain conditions. The petitioner has preferred this Revision against the condition No.(1).



3. On the side of the petitioner, it is stated that the condition No.1 is to deposit Rs.1,00,000/- as non refundable amount, for the maintenance of the Government Medical College Hospital, Pudukottai and the condition is onerous and prayed the condition to be modified.

4. On the side of the prosecution, it is sated that totally three vehicles involved in the offence and three accused were involved in the offence. The petitioner is A2 in the case. The petitioner is the owner of the JCB and there are 7 previous cases pending against the petitioner. Out of the 7 cases, 3 cases are of similar nature. The petitioner undertakes to deposit Rs.1,00,000/- before the Principal District Judge, Ramanathapuram. After undertaking to pay the amount, the petitioner cannot question the condition and prayed the petition to be dismissed.

5. The vehicle involved in the offence is JCB. In the impugned order, it is clearly stated that the petitioner undertakes to remit a sum of Rs.1,00,000/-. After making an undertaking, the petitioner cannot question the same.

6. In view of the same, there is nothing sufficient enough to interfere in the order of the trial Court. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2022

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,
Pudukottai.
2. The Inspector of Police,
Annavaasal Police Station.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl. R.C.(MD)No.957 of 2021
21.12.2021

MGJ(10.01.2022) 2P 4C

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