



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.3227 of 2022

Suresh

... Petitioner

Vs.

The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
(Crime No.630 of 2020)

... Respondent/Complainant

PRAYER: This Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, pleased to set aside the returned docket order dated 06.10.2021 in Cr.M.P.Sr.No.8680 of 2021 in Cr.M.P.No.508 of 2021 on the file of the Principal Sessions Judge, Krishnagiri and extend the time for depositing a sum of Rs.10,000/- to the credit of the Chief Educational Officer, Krishnagiri as imposed in CrI.M.P.No.508 of 2021 dated 30.04.2021 on the file of the Principal Sessions Judge, Krishnagiri (respondent police station Cr.No.630/2020).

For Petitioner : Mr.V.Elangovan

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

O R D E R

This petition has been filed to set aside the docket order dated 06.10.2021 in Cr.M.P.Sr.No.8680 of 2021 in Cr.M.P.No.508 of 2021 on the file of the Principal Sessions Judge, Krishnagiri.

2.The learned counsel for the petitioner would submit that the petitioner is the owner of Tractor bearing Registration No.TN-20-CB-2397 which was seized by the respondent in connection with Cr.No.630 of 2020. The petitioner had filed a petition under Section 451 of Cr.P.C., seeking to return the interim custody of the vehicle and the learned Principal Sessions Judge, Krishnagiri by an order dated 30.04.2021 made in CrI.M.P.No.508 of 2021 directed the interim custody of vehicle on condition that the petitioner to deposit a sum of Rs.10,000/- to the credit of the Chief Educational Officer, Krishnagiri on or before 13.05.2021, as non-refundable desposit and to produce



the payment Challan before the Judicial Magistrate I, Krishnagiri.

3.The learned counsel for the petitioner would submit that the petitioner was affected with Chronic Obstructive Pulmonary disease and his symptoms are affected. Thereby, he was unable to communicate with his lawyer and not paid the conditional amount within time. Thereafter, the petitioner had filed a petition seeking for extension of time. However, the Trial Court had returned the petition stating that the petition seeking for extension of time as not maintainable. He would submit that the petitioner is ready to deposit the amount and the vehicle is still in custody of the respondent/police.

4.The learned Additional Public Prosecutor would submit that the learned Principal Sessions Judge ordered directing the petitioner to deposit a sum of Rs.10,000/- as non-refundable deposit to the Chief Educational Officer, Krishnagiri on or before 13.05.2021. However, the petitioner did not comply with the condition within time.

5.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the materials available on record.

6.The petitioner due to his illness, was unable to pay the amount within time and as on date the vehicle is still in the custody of the respondent/police.

7.In view of the above, this Court by invoking section 482 Cr.PC extends the time granted in condition No.1 in CrI.MP.No.508 of 2021, dated 03.04.2021 on the file of the learned Principal Sessions Judge, Krishnagiri by further period of two weeks from the date of receipt of a copy of this order. The other conditions imposed by the Trial Court shall remain unaltered.

8.With the above directions, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

jas/tsh



To

1. The Principal Sessions Judge, Krishnagiri
2. The Inspector of Police,
Bargur Police Station,
Krishnagiri District.
Crime No 630/2020
3. The Public Prosecutor,
High Court of Madras.

Copy to:

The Chief Educational Officer, Krishnagiri

+1cc to Mr.S.DORAISAMY, Advocate, S.R.No.10889

Cr1.O.P.No.3227 of 2022

GPL(CO)
CT 03/03/2022