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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2022

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5842 of 2022

Sekar

... Petitioner

Vs.

State

Inspector of Police,
Ranipet Police Station,
Ranipet District.

(Crime No.170 of 2021)

... Respondent

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to modify the condition passed in Crl.MP.No.2811 of 2021 dated 16.08.2021 passed by the Principal District & Session Judge, Vellore directing the Petitioner to remit a sum of Rs.1,00,000/- to the jurisdictional Tahsildar concerned by way of a Demand Draft to the credit of "The District Mines & Minerals Foundation Trust".

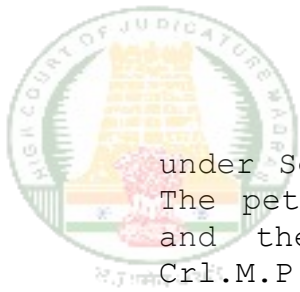
For Petitioner : Ms.S.P.Arthi

For Respondents : Mr.V.Meganathan
Government Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed to modify the condition passed in Crl.MP.No.2811 of 2021 dated 16.08.2021 passed by the Principal District & Session Judge, Vellore directing the Petitioner to remit a sum of Rs.1,00,000/- to the jurisdictional Tahsildar concerned by way of a Demand Draft to the credit of "The District Mines & Minerals Foundation Trust".

2.The learned counsel for the petitioner would submit that the petitioner is the owner of the vehicle Ashok Leyland Lorry bearing registration No.TN-05-R-0839, Engine No.VSE302583, Chassis No.TSF412961 and the vehicle was seized by th respondent in connection with Crime No.170 of 2021 registered for offences



under Section 379 and 430 of IPC for illicit transport of sand. The petitioner had filed an application for return of property and the learned Trial Judge by order dated 16.08.2021 in Crl.M.P.No.2811 of 2021, had directed the petitioner to remit a non-refundable deposit of Rs.1,00,000/- to the jurisdictional Tahsildar concerned by way of demand draft payable to the credit of "The District Mines and Minerals Foundation Trust". He would further submit that the petitioner's vehicle was used without his knowledge and due to his poor financial status, the petitioner was unable to deposit the said huge amount. Thereby, the petitioner was unable to have the vehicle. Hence, the present petition has been filed seeking for modification on condition.

3.Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that the vehicle of the petitioner was seized for transporting two units of river sand.

4. Taking into consideration the submissions made, the first condition in Crl.M.P.No.2811 of 2021 passed by the Principal Session Judge, Vellore dated 16.08.2021 is modified to the following effect:

"1.The petitioner is directed to remit a non-refundable deposit of Rs.50,000/- to the jurisdictional Tahsildar concerned by way of demand draft payable to the credit of "The District Mines and Minerals Foundation Trust"

The other conditions in the impugned order stand unaltered.

5. With the above direction, this Criminal Original Petition is modified.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

shk/sai

To

1.The Inspector of Police,
Ranipet Police Station,
Ranipet District.

2.The Public Prosecutor,
High Court of Madras.



Copy to:
The Principal District and Sessions Judge,
Vellore.

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+lcc to Ms.S.P.Arthi, Advocate SR.No.18033

Cr1.O.P.No.5842 of 2022

GPL (CO)
CB (28/03/2022)
CB (04/04/2022)