



Crl.M.P.No.15334 of 2022

Crl.M.P.No.15334 of 2022
in Crl.OP.No.7233 of 2020

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A.D.JAGADISH CHANDIRA, J.,

This petition has been filed to direct the Judicial Magistrate No.I, Cuddalore to return the Document No.4993/2011 furnished as security by the petitioner in Cr.No.6 of 2020 to comply with the modified condition of the bail granted by this Court vide order dated 09.03.2021 in Crl.M.P.No.712 and 713 of 2021 in Crl.O.P.No.7233 of 2020.

2. The learned counsel for the petitioner is a third party, who has stood as a surety to the accused Mohanram, who was arrayed as A1 in Cr.No.06 of 2020 registered on the file of the respondent. He would submit that at the time of standing as a surety, the petitioner has produced the original title deed vide Document No.4993 of 2011 dated 23.09.2011, belonging to her to the credit of Cr.No.6 of 2020 before the learned Judicial Magistrate No.I, Cuddalore. He would further submit that the accused namely Mohanram has passed away on 18.08.2021, thereby, the charge against him has abated and in such circumstances no useful purpose will be served in the petitioner's original documents being retained by the learned Judicial Magistrate. Thereby, the present application has been filed seeking to direct the learned Judicial Magistrate to return the title deed belonging to the petitioner herein furnished as security.

3. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner has stood as a surety to accused Mohanram in Cr.No.6 of 2020 and the original documents have been submitted before the concerned Court as security. He would submit that accused Mohanram died on 18.08.2021 and the charge against him has got abated.



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4. The learned counsel appearing for the defacto complainant would submit that he has no objection in the original title deed being returned to the petitioner herein.

5. Taking into consideration the facts and circumstances of the case and also the fact that the person to whom the petitioner has stood as surety has passed away and the charge against him has abated, there is no purpose in the learned Magistrate retaining the original title deeds belonging to the petitioner herein.

6. In view of the above, the learned Judicial Magistrate No.I, Cuddalore is directed to return the document No.4993 of 2011, deposited as security in Cr.No.6 of 2020 within a period of one week from the date of filing appropriate application.

7. With the above directions, this Criminal Miscellaneous Petition is ordered.

31.10.2022

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A.D.JAGADISH CHANDIRA, J.,



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