



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2022

CORAM:

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

CRL.O.P.No.24423 of 2021

R.Balamurugan
S/o.Raja Chellappan Gounder ... Petitioner/2nd Accused

Vs.

The State Represented by
The Inspector of Police,
Vennanthur Police Station,
Namakkal District. ... Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to call for records in order dated 11.11.2021 made in Cr.R.P.No.19 of 2021 passed by the Principal Sessions Court, Namakkal and set aside the condition No.10(2)(i) i.e. to deposit Rs.2,00,000/- before the Trial Court and condition No.10(2)(vi), i.e, to surrender the Original R.C.Book before the Trial Court.

For Petitioner : Mr.B.Jawahar
For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to call for the records in order dated 11.11.2021 made in Cr.R.P.No.19 of 2021 passed by the Principal Sessions Court, Namakkal and set aside the condition No.10(2)(i) i.e. to deposit Rs.2,00,000/- before the Trial Court and condition No.10(2)(vi) i.e, to surrender the Original R.C.Book before the Trial Court.

2. The learned counsel for the petitioner would submit that the learned Principal District & Sessions Judge, Namakkal, on the interim custody of the vehicle, has directed the petitioner to deposit a sum of Rs.2,00,000/- before the Trial Court.

3. The learned counsel for the petitioner further submitted that the vehicle is a 2009 year Tavera Model and the



value itself will not be more than Rs.50,000/- and thereby, he would seek to modify the condition No.10(2)(i) in order dated 11.11.2021 in Cr.R.P. No.19 of 2021. He would submit that the condition imposed by the learned Principal District & Sessions Judge, Namakkal is onerous.

4. The learned Additional Public Prosecutor for the respondent would submit that the vehicle was seized in connection with Crime No.633 of 2021 for having illegally transported 44 bottles of liquor (containing 180 ml in each bottle). He would further submit that the respondent has also initiated confiscation proceedings.

5. Taking into consideration of the value of the vehicle and the vehicle is also of the year 2009, the condition 10(2)(i) is hereby modified to the effect that the petitioner shall deposit a sum of Rs.25,000/- before the Trial Court. The other condition No.10(2)(vi) imposed by the Trial Court shall stand unaltered.

6. This Criminal Original Petition is disposed of with the above modification.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

nst/arb

To

1.The Inspector of Police,
Vennanthur Police Station,
Namakkal District.

2.The Public Prosecutor,
High Court of Madras.

3.The Principal Sesssion Judge,
Sessions Court, Namakkal.

+1cc to Mr.B.Jawahar, Advocate SR.No.8762

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SVI(CO)
GN(02/03/2022)