



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.172 of 2022

WEB COPY

Rajeswari

... Petitioner/Petitioner

Vs.

1. The State through
The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
(Crime No.197 of 2021)
2. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
3. The Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram District.
4. The Tahsildar,
Taluk Office,
Paramakudi,
Ramanathapuram District.

... Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records and set aside the order dated 07.10.2021 made in Cr.M.P.No.2172 of 2021, on the file of the Principal Sessions Judge, Ramanathapuram in respect of condition No. (3) is concerned.

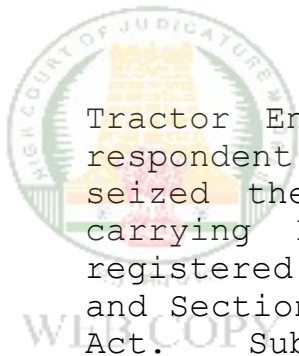
For Petitioner : Mr.G.Vishnuram

For R1 to R4 : Mr.M.Aasha
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Petition has been filed to set aside the order, dated 07.10.2021 made in Cr.M.P.No.2172 of 2021, on the file of the Principal Sessions Judge, Ramanathapuram, in respect of the third condition.

2.The petitioner claims to be the owner of the un-numbered
<https://hcservices.ecourts.gov.in/hcservices/>



Tractor EngineNo.306492DX, Chasis No.NHN3630SZLM532853. The first respondent police has intercepted the vehicle of the petitioner and seized the same on the ground that it was used for illegally carrying 1 unit of river sand without any valid permit and registered a case in Crime No.197 of 2021 under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the learned Principal Sessions Court, Ramanathapuram, by way of filing a petition in Cr.M.P.No.2172 of 2021 for release of the un-numbered Tractor and the learned Judge has allowed the petition filed by the petitioner by its order, dated 07.10.2021, by imposing the 3rd condition to the effect that the petitioner should deposit a sum of Rs.60,000/- in favour of the District Legal Services Authority, Ramanathapuram. Challenging the condition imposed by the trial Court, the petitioner is before this Court with this criminal revision.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.The only grievance of the petitioner is that the 3rd condition imposed by the learned Principal Sessions Judge, Ramanathapuram are onerous.

5.In view of that, this Criminal Revision Case is partly allowed. The order of the learned Principal Sessions Judge, Ramanathapuram, made in Cr.M.P.No.2172 of 2021, dated 07.10.2021, is modified in respect of the 3rd condition alone and in the 3rd condition it is modified to the effect that the petitioner shall deposit a sum of Rs.30,000/- (Rupees Thirty thousand only) in favour of the District Legal Services Authority, Ramanathapuram. In respect of other conditions, the order of the learned Principal Sessions Judge, Ramanathapuram, shall remain unaltered.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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,
Ramanathapuram.

WEB COPY

2. The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.

3. The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

4. The Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram District.

5. The Tahsildar,
Taluk Office,
Paramakudi,
Ramanathapuram District.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:

The District Legal Services Authority,
Ramanathapuram.

Crl.R.C. (MD) No.172 of 2022
24.02.2022

_RD(10.03.2022) 3P 8C