



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

**CORAM**

WEB COPY

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**CrI.O.P(MD)No.1939 of 2022**

Vijaya Kanth

... Petitioner/  
Petitioner

Vs.

1.The Assistant Director,  
Geology and Mining Department,  
Collectorate Complex,  
Ramanathapuram.

2.The Sub Collector and Revenue Divisional Officer,  
Paramakudi,  
Ramanathapuram District.

3.The Tahsildar,  
Taluk Officer,  
Kamuthi,  
Ramanathapuram District.

4.The State represented by  
The Inspector of Police,  
Abiramam Police Station,  
Ramanathapuram District.  
(Crime No.124 of 2019)

... Respondents/Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to pass an order of modification, to modify the Condition No.3, imposed to the petitioner for depositing a sum of Rs.1,00,000/- made in order dated 06.03.2021 in Cr.M.P.No.129 of 2021 on the file of the learned Principal Sessions Judge, Ramanathapuram.

For Petitioner : Mr.M.S.Jeyakarthik  
For Respondents : Mr.B.Thanga Aravindh  
Government Advocate (Criminal Side)

**ORDER**

Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

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2. The petitioner is the owner of the petition mentioned vehicle. It was involved in a criminal case. Seeking its return, the petitioner filed Cr.M.P.No.129 of 2021 before the learned Principal Sessions Judge, Ramanathapuram. It was allowed on 06.03.2021. However, condition to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) was imposed. Questioning the same, this Criminal Original Petition has been filed.

3. It is seen that the vehicle is in the custody of the respondent police since 2019. The petitioner must have suffered sufficient financial loss already. Therefore, directing him to pay a sum of Rs.1,00,000/- (Rupees One Lakh only) would definitely cause enormous hardship. Condition No.3, is therefore, modified and the amount of Rs.1,00,000/- (Rupees One Lakh only) is reduced to Rs.10,000/- (Rupees Ten Thousand only). In all other aspects, the impugned order will stand intact. This Criminal Original Petition is allowed to this limited extent.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

**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.

2.The Assistant Director,  
Geology and Mining Department,  
Collectorate Complex,  
Ramanathapuram.

3.The Sub Collector and Revenue Divisional Officer,  
Paramakudi,  
Ramanathapuram District.



4.The Tahsildar,  
Taluk Officer,  
Kamuthi,  
Ramanathapuram District.

5.The Inspector of Police,  
Abiramam Police Station,  
Ramanathapuram District.

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

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate SR-4323[F] dated 04/02/2022

Crl.O.P(MD)No.1939 of 2022

**04.02.2022**

svs (CO)

TR(08.02.2022) 3P 8C