



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.02.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.2314 of 2022

WEB COPY

Karuppiah

... Petitioner/
Owner of the Vehicle

Vs.

- 1.The State represented by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.558 of 2021)
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Assistant Director,
Geology and Mining Department,
Collector Complex,
Ramanathapuram.
- 4.The Tahsildar,
Taluk Office,
Ramanathapuram.

... 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.60,000/- made in order dated 01.11.2021 in Cr.M.P.No.2410 of 2021 on the file of the learned Principal Sessions Judge, Ramanathapuram.

For Petitioner : Mr.M.S.JEYAKARTHIK, Advocate
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.

2. The petitioner is the owner of the petition mentioned vehicle. It was involved in a criminal case. The vehicle was seized in the year 2021. Seeking its return, the petitioner filed Cr.M.P.No.2410 of 2021 before the learned Principal Sessions Judge, Ramanathapuram. It was allowed on 01.11.2021. However, condition



to deposit a sum of Rs.60,000/- (Rupees Sixty Thousand 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 respondents of the police since 2021. The petitioner must have suffered sufficient financial loss already. Therefore, directing him to pay a sum of Rs.60,000/- (Rupees Sixty Thousand only) would definitely cause an enormous hardship. Condition No.3, is therefore, modified and the amount of Rs.60,000/- (Rupees Sixty Thousand 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 (A.D.II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 State represented by
The Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram District.
(Crime No.558 of 2021)
- 3.The Revenue Divisional Officer,
Ramanathapuram.
- 4.The Assistant Director,
Geology and Mining Department,
Collector Complex,
Ramanathapuram.



5.The Tahsildar,
Taluk Office,
Ramanathapuram.

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

+1 cc to Mr.JEYAKARTHIK, Advocate, SR.No.4324

Cr1.O.P(MD)No.2314 of 2022

Date:04.02.2022

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