



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.R.C. (MD)No.251 of 2022

Selvaraj

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Ayyampettai Police Station,
Thanjavur.

... Respondent/Respondent

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the entire records pertaining to the order passed by the Special court under the Mines and minerals (D and R) Act, 1957, Thanjavur in Crl M.P No. 3042 of 2021 vide order dt. 08.12.2021 and modify the condition imposed in condition No.1,2 and 4.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondent : M/s.Aasha

Government Advocate (Criminal Side)

O R D E R

This Criminal Revision has been filed to call for the entire records pertaining to the order passed by the Special court under the Mines and minerals (D and R) act, 1957, Thanjavur in Crl M.P No. 3042 of 2021 vide order dt. 08.12.2021 and modify the condition imposed in condition No.1,2 and 4.

2. The learned counsel for the petitioner would submit that the learned Principal Sessions Judge, Thanjavur (Special Court under the Mines and Minerals (D&R) Act, 1957) vide order dated 08.12.2021 in Cr.M.P.No.3042 of 2021 had directed the petitioner to pay a sum of Rs.30,000/- which is non refundable to the Credit of Patient Welfare Society, Thanjavur Medical College Hospital, Thanjavur by means of demand draft to be drawn in favour of Patient Welfare Society, Thanjavur Medical College Hospital, Thanjavur payable at Thanjavur and produce the Demand Draft before the Office of Dean, Thanjavur Medical College Hospital, Thanjavur and obtain its proper acknowledgement receipt in his name with Crl.M.P.No.. from the said office and produce the receipt, xerox copy of demand draft along with the memo before the jurisdictional Magistrate. The learned counsel for the petitioner would further submit that the petitioner is the victim and the victim need not be forced to run from pillar



to post to seek his remedy, hence he seeks to modify the said condition alone.

3. Heard the learned Government Advocate(Crl.Side) appearing for the respondent.

4. Taking into consideration the submission made by the learned counsel for the petitioner the condition no.1 imposed by the Special court under the Mines and minerals (D and R) act, 1957, Thanjavur in Crl M.P No. 3042 of 2021 vide order dt. 08.12.2021 directing the petitioner to pay a sum of Rs.30,000/- which is non refundable to the Credit of Patient Welfare Society, Thanjavur Medical College Hospital, Thanjavur by means of demand draft to be drawn in favour of Patient Welfare Society, Thanjavur Medical College Hospital, Thanjavur payable at Thanjavur is alone modified to the effect that the petitioner shall pay a sum of Rs.30,000/- to the credit in Crime No.1457 of 2020 on the file of the learned Judicial Magistrate No.III, Thanjavur (concerned Jurisdictional Magistrate). All other conditions imposed in the order dated 08.12.2021 by the learned Principal Sessions Judge, Thanjavur shall remain unaltered.

5. This Revision is ordered accordingly.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Judicial Magistrate No.III, Thanjavur

2.The Inspector of Police,
Ayyampettai Police Station,Thanjavur.

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

Copy to:

The Section Officer,Criminal(Records),
Madurai Bench of Madras High Court,
Madurai.

Crl.R.C. (MD) No.251 of 2022
14.03.2022

MGJ(28.03.2022) 2P 6C