



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.03.2022**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C. (MD)No.266 of 2022

Suvendran

... Petitioner/Petitioner/
Accused/Owner of the Vehicle

Vs.

1.Vijay

2. Ranjith @ Ranjith Kumar

3. Palaniappan

...Respondents/Accused

4. The State represented by
The Inspector of Police,
Aravayal Police Station,
Sivagangai District,
In Crime No.119 of 2021.

...Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside and to relax the order dated 19.01.2022 made in Crl.M.P.No.106 of 2022 before the learned Principal Sessions Judge, Sivagangai Sivagangai District insofar as 6th para condition No.2 is concerned.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mrs.M.Aasha

Govt. Advocate (Crl. Side) for R4

O R D E R

This criminal revision case has been filed to relax the condition No.2 in the order dated 19.01.2022 made in Crl.M.P.No.106 of 2022 imposed by the learned Principal Sessions Judge, Sivagangai Sivagangai District.

2.The learned counsel for the petitioner submits that the petitioner purchased the vehicle on hire purchase and he is hailing from poor family. Since the petitioner is paying loan for the said vehicle, the condition to deposit a sum of Rs.2,00,000/- is onerous. Hence, he prays this Court to modify the said condition.



3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the fourth respondent and perused the materials available on record.

4.On a perusal of the records revealed that the petitioner having been accepted the order passed by the Court below, he could not be able to deposit the amount within the time fixed by the Court below and he filed a petition for extension of time in Crl.M.P.No.521 of 2022 and the same was allowed and the time was extended to deposit the said amount. After getting order in the extension of time petition, the petitioner challenged the main order passed in Crl.M.P.No.106 of 2022. That apart, the petitioner's vehicle namely, Ashok Leyland Lorry bearing Registration No.TN 28 M 8719 was involved in Crime No.119 of 2021 registered for the offences under Section 379 of IPC and Section 21(4) of Mines and Minerals (Development and Regulation) Act, 1957 on the file of the fourth respondent police. It is also noted that the Court below directed the petitioner to deposit a sum of Rs.2,00,000/- only to the credit of Crime No.119 of 2021. If the petitioner proves his innocence, the amount deposited by the petitioner will be refunded to him because, the amount is directed to be deposited in respect of the crime number only. Therefore, this Court finds no illegality or infirmity in the order passed by the learned Principal Sessions Judge, Sivagangai, in Crl.M.P.No.106 of 2022, dated 19.01.2022 and it stands confirmed and the criminal revision case stands dismissed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To:-

1. The Principal Sessions Judge, Sivagangai District.
2. The Inspector of Police,
Aravayal Police Station, Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.R.C. (MD) No.266 of 2022
16.03.2022

ias

MS/29.03.2022/2P.4C