



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

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

CrI.R.C.(MD)No.270 of 2022

Selvalingam

... Petitioner/Petitioner

Vs

1. The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.
(Cr.No.495 of 2021)
2. The Revenue Divisional Officer,
Paramakudi.
3. The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
4. The Tahsildar,
Taluk Office,
Kadaladi,
Ramanathapuram District.

... Respondents/Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to set aside and modify the conditional order passed in CrI.M.P No.494 of 2022 on the file of learned Principal District Judge, Ramanathapuram, dated 04.03.2022 in respect of the condition No.2(a, b and c).

For Petitioner : Mr.K.Kumaravel

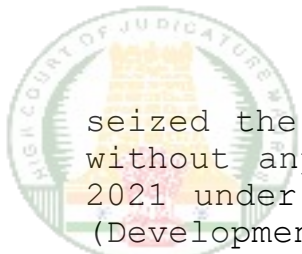
For Respondents : Mr.M.Aasha

Government Advocate (Criminal Side)
for R1 to R4

O R D E R

This Criminal Revision Petition has been filed to set aside and modify the conditional order passed in CrI.M.P No.494 of 2022, on the file of the learned Principal District Judge, Ramanathapuram, dated 04.03.2022, in respect of the condition No.2(a, b and c).

2.The petitioner claims to be the owner of the vehicles, viz., two tipper lorries bearing Registration Nos.TN 23 BE 8763, TN 65 U 0884, one Crane bearing registration No.TN 65 AX 5385. The respondent police has intercepted the vehicle of the petitioner and



seized the same on the ground that it was used for carrying metal, without any valid permit and registered a case in Crime No.495 of 2021 under Section 379 IPC and Section 21(1) of Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the learned Principal District Judge, Ramanathapuram, by way of filing a petition in Crl.M.P.No.494 of 2022 for release of the vehicles and the learned Judge has allowed the petition filed by the petitioner, by its order dated 04.03.2022, by imposing the condition no.2(a,b,c) to the effect that the petitioner should remit a sum of Rs.1,25,000/-, Rs.1,25,000/- and Rs.2,50,000/- as costs respectively, for the vehicles bearing registration Nos. TN 23 BE 8763, TN 65 U 0884 and TN 65 AX 5385, in favour of the District Legal Services Authority, Ramanathapuram in Crl.M.P.No.494 of 2022. Challenging the said 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 condition no.2(a,b,c) imposed by the learned Principal District Judge, Ramanathapuram are onerous.

5.In view of that, **this Criminal Revision Case is allowed.** The order of the learned Principal District Judge, Ramanathapuram, made in Crl.M.P.No.494 of 2022, dated 07.02.2022, Condition No.2(a, b, c) is hereby modified, to the effect that **in respect of vehicles bearing registration Nos. TN 23 BE 8763, TN 65 U 0884, the petitioner is directed to remit a sum of Rs.50,000/- each as costs and in respect of vehicle bearing registration No.TN 65 AX 5385, the petitioner is directed to remit a sum of Rs.75,000/- as costs.** In respect of other conditions, the order of the learned Principal District Judge, Ramanathapuram, shall remain unaltered.

Sd/-

Assistant Registrar (AE)

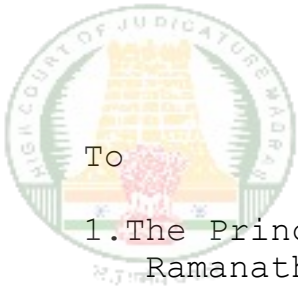
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/ /2022

Sub Assistant Registrar(CS)

PNM

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 District Judge,
Ramanathapuram.

2.The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

3.The Revenue Divisional Officer,
Paramakudi.

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

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

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

+1 CC to M/s.K.KUMARAVEL, Advocate (SR-12777[F] dated 17/03/2022)

Crl.R.C. (MD)No.270 of 2022

17.03.2022

MGJ(25.03.2022) 3P 8C