



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 15.03.2022**

**CORAM:**

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

**CRL.R.C. (MD)No.260 of 2022**

C.Justin Dhiraviyam,

... Petitioner/Accused

Vs

The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District  
(Crime No. 753 of 2020).

... Respondent/Complainant

**Prayer:** This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining to order passed by the learned Principal Sessions Judge, Sivagangai in Crl.M.P.No. 4108 of 2021, Dt. 10.11.2021 and set aside the 2nd condition imposed with regard to deposit of a sum of Rs. 75000/-.

For Petitioner : M/s.Lakshmanasamy.S.,  
For Respondent : Mrs.M.Aasha,  
Government Advocate (Crl.Side)

### **O R D E R**

This Criminal Revision Petition has been filed to modify the 'Condition No.2' imposed by the learned Principal District & Sessions Judge, Sivagangai, in the order passed in Crl.M.P.No. 4108 of 2021, Dt. 10.11.2021.

2.The petitioner claims to be the owner of the Tipper bearing Registration No.TN 58 X 7547. 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.753 of 2020 under Section 379 IPC. Subsequently, the petitioner has approached the learned Principal District & Sessions Judge, Sivagangai, by way of filing a petition in Crl.M.P.No.4108 of 2021 for release of the Tipper and the learned Judge has allowed the petition filed by the petitioner, by its order dated 10.11.2021, by imposing the 2<sup>nd</sup> condition to the effect that the petitioner should execute a bond for sum of Rs.75,000/- before the Court in Crl.M.P.No.4108 of 2021. 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.

<https://hcservices.ecourts.gov.in/hcservices/>



4.The only grievance of the petitioner is that the 2<sup>nd</sup> condition imposed by the learned Principal District & Sessions Judge, Sivagangai are onerous.

5.In view of that, **this Criminal Revision Case is partly allowed.** The order of the learned Principal District & Sessions Judge, Sivagangai, made in Crl.M.P.No. 4108 of 2021, Dt. 10.11.2021, in Para 7(1) is modified, to the effect that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only). In respect of other conditions, the order of the learned Principal District & Sessions Judge, Sivagangai, shall remain unaltered.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /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 & Sessions Judge,  
Sivagangai.
- 2.The Inspector of Police,  
Manamadurai Police Station,  
Sivagangai District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.LAKSHMANASAMY, Advocate ( SR-12253[F] dated 15/03/2022 )

**Crl.R.C. (MD)No.260 of 2022**  
**15.03.2022**

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