



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

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

Crl.R.C. (MD)No.298 of 2022

Kaleeswaran

... Petitioner/Petitioner

Vs

1.The State,

By the Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
(Crime No.144 of 2021)

2.The Revenue Divisional Officer,
Ramanathapuram.

3.The Assistant Director,
Geology and Mining Department,
Collectrate Complex,
Ramanathapuram.

4.The Thasildar,
Taluk Office, R.S.Mangalam,
Ramanathapuram.

... Respondents/Respondents

Prayer: Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C., to set aside the conditions imposed vide Para 14(2) and 14 (3) of the order passed in Cr.M.P No. 1630 of 2021 by the Principal Sessions Judge, Ramanathapuram dated 01.09.2021 and order interim custody of the red colour unnumbered Tractor and green colour Trailer (Engine No.SJ327 B05982, Chassis No.MEAOAD05CM2353090, Model No.MF7250D1 Power up) with the petitioner as sought for, which is under the custody of the 1st respondent in Crime No.144 of 2021, on his file.

For Petitioner : Mr.D.Venkatesh
For R1 to R4 : Mrs.M.Aasha,
Government Advocate
(Criminal Side).

O R D E R

This Criminal Revision Case has been filed to set aside the conditions imposed vide Para 14(2) and 14(3) of the order passed in Cr.M.P No. 1630 of 2021 by the learned Principal Sessions Judge, Ramanathapuram dated 01.09.2021.

2.The petitioner claims to be the owner of an unregistered vehicle, ie., Red colour tractor and Green Colour Trailer (Engine No.SJ327 B05982 Chassis No.MEAOAD05CM2353090 Model No.MF7250D1 Power Up). 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.144 of 2021 under Section 379 IPC and 21(4) Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Ramanathapuram, by way of filing a petition in Crl.M.P.No.1630 of 2021 for release of the vehicle and the learned Judge has allowed the petition filed by the petitioner, by his order dated 01.09.2021, by imposing conditions to the effect that the petitioner should execute a bond for sum of Rs.1,00,000/- with two solvent sureties each for a likesum and also the petitioner is directed to remit a sum of Rs.60,000/- as costs, within a period of two weeks in Crl.M.P.No.1630 of 2021, by way of an individual deposit, in favour of the District Legal Services Authority. Challenging the said conditions 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 conditions imposed by the learned Principal Sessions Judge, Ramanathapuram are onerous.

"5. In view of that, this Criminal Revision Case is partly allowed. The conditions imposed in the order of the learned Principal Sessions Judge, Ramanathapuram, made in Cr.M.P.No.1630 of 2021, dated 01.09.2021, in Paragraphs 14(2) and 14(3) are modified to the effect that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a like sum to the satisfaction of the Principal Sessions Judge, Ramanathapuram and the petitioner is directed to remit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) as costs, within a period of two weeks, from the date of receipt of a copy of this order, by way of an individual deposit, in favour of the District Legal Services Authority. In respect of other conditions, the order of the learned Principal Sessions Judge, Ramanathapuram, shall remain unaltered. "

Sd/-

Assistant Registrar (AD I)

(*)Inserted paragraph No.5 as per the order of this court dated 11/04/2022 made in Crl.RC.(MD)No.298 of 2022

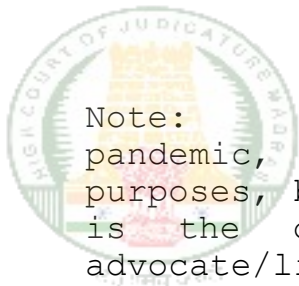
Sd/-

Assistant Registrar (CS I)

// 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.

WEB COPY

TO

**(*)To be Substituted to the order which already despatched
on 08.04.2022**

- 1.The Principal Sessions Judge,
Ramanathapuram.
- 2.The Inspector of Police,
R.S.Mangalam Police Station,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Ramanathapuram.
- 4.The Assistant Director,
Geology and Mining Department,
Collectrate Complex,
Ramanathapuram.
- 5.The Thasildar,
Taluk Office, R.S.Mangalam,
Ramanathapuram.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

THE OFFICER INCHARGE,
DISTRICT LEGAL SERVICES AUTHORITY,
RAMANATHAPURAM.

ORDER IN
CrI.R.C. (MD) No.298 of 2022
24.03.2022

KG (CO)
GC (06.04.2022) 3P 8C

MGJ (26.04.2022) 3P 8C