



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2022

CORAM:

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

Crl.R.C. (MD)No.339 of 2022

WEB COPY

P.Mahesh Ragul

... Petitioner/Petitioner

Vs

The State represented by
The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
(Crime No.375 of 2021)

... Respondent/Respondent

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining to the order passed by the Sessions Judge, Karur in Crl.M.P.No. 579 of 2022 dated 17/03/2022 and set aside the condition No.(i) of the order.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.M.Aasha

Government Advocate (Criminal Side)

O R D E R

This Criminal Revision Case has been filed to set aside the condition No.(i) imposed in the order passed by the learned Sessions Judge, Karur in Crl.M.P.No. 579 of 2022 dated 17.03.2022.

2.The petitioner claims to be the owner of an vehicle, ie., JCB bearing Registration No.TN-31-AS-5806. 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.375 of 2021, under Sections 379 IPC and Section 21(4) Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the learned Sessions Judge, Karur, by way of filing a petition in Crl.M.P.No.579 of 2022 , for release of the vehicle and the learned Judge has allowed the petition filed by the petitioner, by order dated 17.03.2022, thereby, imposing conditions to the effect that the petitioner is directed to deposit original RC book and to deposit a sum of Rs.2,00,000/- in Crime No.375 of 2021. 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, Karur are onerous.

5.In view of that, **this Criminal Revision Case is partly allowed.** The order of the learned Sessions Judge, Karur, made in Crl.M.P.No.579 of 2022, dated 17.03.2022, **in Condition(i) is modified, to the effect that the petitioner is directed to deposit Rs.1,00,000/- (Rupees One Lakh Only) before the learned Sessions Judge, Karur, in Crime No.375 of 2021 of Velayuthampalayam Police Station and the petitioner is directed to execute a bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) with two solvent sureties, each for a likesum, to the satisfaction of learned Sessions Judge, Karur.** In respect of other conditions, the order of the learned Sessions Judge, Karur, shall remain unaltered.

Sd/-

Assistant Registrar (CS-I)

// 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 Sessions Judge, Karur.
2. The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:-

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai. (2 COPIES)

+1 CC to M/s.T. LENIN KUMAR, Advocate (SR-16494[F] dated 05/04/2022)

ORDER IN

Crl.R.C. (MD) No.339 of 2022

04.04.2022