



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
Crl.R.C. (MD)No.346 of 2022

Murali

... Petitioner/
Petitioner/
Owner of the Vehicle

Vs.

1. The State represented by
The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
(Crime No.44 of 2022)

... 1st Respondent/
Complainant

2. Rajasekar

... 2nd Respondent/
Respondent/
Previous Owner

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 25.03.2022 made in Crl.M.P.No.1026 of 2022 on the file of the learned Principal District and Sessions Judge, Pudukkottai, insofar as condition No. (1) is concerned.

For Petitioner : Mr.S.Sathya Chidambaram
For Respondents : Mr.M.Aasha
Government Advocate (Criminal Side)
for R.1

O R D E R

This Criminal Revision Case has been filed to set aside the condition No.1 imposed by the learned Principal District and Sessions Judge, Pudukkottai, in the order passed in Crl.M.P.No.1026 of 2022, dated 25.03.2022.

2. The petitioner claims to be the owner of the vehicle, Mahendra Bolero Truck bearing Registration No.TN-18-AC-4155. The respondent police intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand, without any valid permit and registered a case in Crime No.44 of 2022. Subsequently, the petitioner has approached the learned



Principal District and Sessions Judge, Pudukkottai, by way of filing a petition in Crl.M.P.No.1026 of 2022 for release of the vehicle and the learned Principal District and Sessions Judge has allowed the petition filed by the petitioner by its order dated 25.03.2022, by imposing conditions to the effect that the petitioner was directed to surrender the original R.C.Book and also execute a bond for a sum of Rs.40,000/- (Rupees Forty Thousand only) before the Court in Crime No.44 of 2022 of Manamelkudi Police Station, Pudukkottai District and compliance of the condition, the above vehicle shall be returned to the petitioner on interim custody. Challenging the said condition imposed by the Court below, 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 imposed by the learned Principal District and Sessions Judge, Pudukkottai, to remit a sum of Rs.40,000/- (Rupees Forty Thousand only) is onerous.

5. Considering the grievance addressed by the learned counsel appearing on behalf of the petitioner with the relevant records, it would appear that the petitioner is a first offender. Further, the case is under investigation. Hence, in view of that, this Criminal Revision Case is partly allowed. The order of the learned Principal District and Sessions Judge, Pudukkottai, made in Crl.M.P.No.1026 of 2022, dated 25.03.2022 is modified in respect of the condition No.1 alone and it is modified to the effect that the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) before the concerned Court in Crime No.44 of 2022 of Manamelkudi Police Station, Pudukkottai District and compliance of the condition, the above vehicle shall be returned to the petitioner on interim custody. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Pudukkottai, shall remain unaltered.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

To:-

1.The Judicial Magistrate,
Aranthangi.

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



2. The Principal District and Sessions Judge,
Pudukkottai.
3. The Inspector of Police,
Manamelkudi Police Station,
Pudukkottai District.
4. 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.

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RK(20/04/2022) 3P 7C