



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CrI.R.C(MD)No.371 of 2022

and

CrI.M.P(MD)No.4763 of 2022

WEB COPY

V.Juliet Prema Arputham
Partner in Salathmadha Transport
Represented by her Manager
K.Saravanan

...Petitioner/Petitioner/
Defacto Complainant

Vs .

State rep. by
The Inspector of Police,
Kollidam Police Station,
Trichy.
(Cr.No.751 of 2020)

... Respondent/Respondent/
Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the entire records relating to the impugned order passed in Cr.M.P.No.157 of 2021 in Crime No.751 of 2020, dated 02.02.2021 on the file of the District Munsif Cum Judicial Magistrate Court, Srirangam and set aside the same.

For Petitioner	: Mr.G.R.Hari
For Respondent	: Ms.M.Aasha
	Government Advocate (CrI.side)

O R D E R

This petition has been filed to set aside the condition No.1 imposed by the learned District Munsif Cum Judicial Magistrate Court, Srirangam, in the order passed in Cr.M.P.No.157 of 2021 in Crime No.751 of 2020, dated 02.02.2021.

2.The petitioner claims to be the owner of the Ashok Leyland Lorry bearing Registration No.TN-61-F-3242. The respondent police seized the vehicle and registered a case in Cr.No.751 of 2020. Subsequently, the petitioner has approached the learned District Munsif Cum Judicial Magistrate, Srirangam, by way of filing a petition in Cr.M.P.No.157 of 2021 for release of the vehicle and the learned Judge has allowed the petition filed by the petitioner by her order dated 02.02.2021, by imposing certain conditions. The



first condition is that ''the petitioner has to execute a bond for himself with one another surety for a sum of Rs.14,00,000/- each''. 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.It is seen that the petitioner is the owner of the vehicle and it never involved any other crime. Only on the complaint lodged by the petitioner alleging that her vehicle was missing, the respondent police registered the case in Cr.No.751 of 2020, thereafter the respondent police secured the vehicle and produced before the Court below. Admittedly the petitioner is the owner of the vehicle and there is no rival claim in respect of the vehicle.

5.Considering the above, this Criminal Revision Case is partly allowed. The condition No.1 in order of the learned District Munsif Cum Judicial Magistrate, Srirangam, made in Cr.M.P.No.157 of 2021, dated 02.02.2021 is alone deleted. In respect of other conditions, the order of the learned District Munsif Cum Judicial Magistrate, Srirangam, shall remain unaltered. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Munsif Cum Judicial Magistrate,
Srirangam, Trichy District.

2.The Inspector of Police,
Kollidam Police Station,
Trichy District.

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

+1 CC to M/s.G.R. HARI, Advocate (SR-18514[F] dated 13/04/2022)

Cr1.R.C(MD)No.371 of 2022

and

Cr1.M.P(MD)No.4763 of 2022

Date:13.04.2022

SA(06.05.2022) 2P 5C

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