



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

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

Crl.R.C. (MD)No.374 of 2022

Kannan

... Petitioner

Vs.

1.The State through
The Inspector of Police,
Thirupalaikudi Police Station,
(Crime No.20/2022)

2.The Revenue Divisional Officer,
Ramanathapuram.

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

4.The Tahsildar,
Taluk Office,
RS Mangalam.

... Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining to the order passed by the learned Principal Sessions Judge, Ramanathapuram in Cr.M.P.No.647 of 2022, dated 22.03.2022, set aside and modify the condition No.2 of Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand only) as costs by way of an individual/collective deposit in favour of the District Legal Services Authority, Ramanathapuram.

For Petitioner : Mr.B.Ramamoorthi

For Respondents : Mrs.Aasha
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Petition has been filed praying this Court to set aside the impugned order passed by the learned Principal Sessions Judge, Ramanathapuram in Cr.M.P.No.647 of 2022, dated 22.03.2022 and modify the condition No.2.

2.The petitioner claims to be the owner of the Tipper Lorry bearing Registration No.TN-74-AS-9994. The first respondent police has intercepted the vehicle of the petitioner and seized and registered a case in Crime No.20 of 2022 under Section 379 of IPC and Section 21(4) of Mines and Minerals (Development and Regulation)



Act, 1957. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Ramanathapuram, by way of filing a petition in Cr.M.P.No.647 of 2022 for release of the Tipper Lorry and the learned Judge has allowed the petition filed by the petitioner by order dated 22.03.2022, by imposing the second condition to the effect that the petitioner should deposit a sum of Rs.1,25,000/- before the District Legal Services Authority, Ramanathapuram. Challenging the 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.

4.The only grievance of the petitioner is that the second condition imposed by the learned Principal Sessions Judge, Ramanathapuram are onerous.

5.In view of that, this Criminal Revision Case is partly allowed. The order of the learned Principal Sessions Judge, Ramanathapuram, made in Cr.M.P.No.647 of 2022, dated 22.03.2022 is modified in respect of the second condition alone and in the second condition it is modified to the effect that the petitioner shall deposit a sum of Rs.**50,000/-** (Rupees Fifty thousand only) before the District Legal Services Authority, Ramanathapuram. In respect of other conditions, the order of the learned Principal Sessions Judge, Ramanathapuram, shall remain unaltered.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lr

To

1. The Principal Sessions Judge, Ramanathapuram,
- 2.The Inspector of Police,
Thirupalaikudi Police Station,
- 3.The Revenue Divisional Officer,
Ramanathapuram
- 4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,Ramanathapuram.



5.The Tahsildar,
Taluk Office, RS Mangalam.

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

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Copy to:

The Secretart,
District Legal Services Authority,
Ramanathapuram.

+1 CC to M/s.B. RAMAMOORTHY, Advocate (SR-18925[F] dated 18/04/2022
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18.04.2022

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