



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.381 of 2022

Rajendran

...Petitioner/Accused

Vs.

State rep. by
The Inspector of Police,
Pettavaithalai Police Station,
Trichy District.
(Cr.No.89 of 2021)

... Respondent/Complainant

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for records relating to Crl.M.P.No.1089 of 2021 dated 16.11.2021 on the file of the District Munsif Cum Judicial Magistrate, Srirangam and set aside and modified first condition directing the petitioner to execute a bond for a sum of Rs.7,00,000/- with two sureties for a like sum.

For Petitioner : Mr.P.Manimaran
For Respondents : Ms.M.Aasha
Government Advocate (Crl.side)

ORDER

This petition has been filed to set aside the condition No.1 imposed by the learned District Munsif Cum Judicial Magistrate, Srirangam, in the order passed in Cr.M.P.No.1089 of 2021, dated 16.11.2021.

2.The petitioner claims to be the owner of the Car bearing Registration No.TN-48-AJ-9882. The respondent police intercepted the vehicle of the petitioner and seized the same and registered a case in Crime No.89 of 2021. Subsequently, the petitioner has approached the learned District Munsif Cum Judicial Magistrate, Srirangam, by way of filing a petition in Cr.M.P.No.1089 of 2021 for release of the vehicle and the learned Judge has allowed the petition filed by the petitioner by its order dated 16.11.2021, by imposing the 1st condition to the effect that 'the petitioner should appear before the District Cum Judicial Magistrate Court, Srirangam and execute a bond for Rs.7,00,000/- with two sureties for a like sum with solvency certificate obtained from the revenue official'. 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.

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4.The only grievance of the petitioner is that the condition imposed by the learned District Cum Judicial Magistrate, Srirangam to execute a bond for a sum of Rs.7,00,000/- 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 District Cum Judicial Magistrate, Srirangam, made in Cr.M.P.No.1089 of 2021, dated 16.11.2021 is modified in respect of the condition No.1 is alone and it is modified to the effect that 'the petitioner shall appear before the District Cum Judicial Magistrate Court, Srirangam and execute a bond for Rs.5,00,000/- (Rupees Five lakhs only) with two sureties for a like sum with solvency certificate obtained from the revenue official'. In respect of other conditions, the order of the learned District Cum Judicial Magistrate, Srirangam, shall remain unaltered.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To

1.The District Munsif Cum Judicial Magistrate,
Srirangam.

2.The Inspector of Police,
Pettavaithalai Police Station,
Trichy 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. (2C)

+1 CC to M/s.P. MANIMARAN, Advocate (SR-19584[F] dated 20/04/2022)
CrI.R.C(MD)No.381 of 2022

19.04.2022

AM(CO)

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