



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Appellate Jurisdiction**

**Wednesday, the Twenty Seventh day of April Two Thousand and Twenty
Two**

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

**CRL MP(MD) . No.5373 of 2022
in
CRL RC(MD) No.873 of 2021**

Vincent

. Petitioner/Petitioner

Vs

The Inspector of Police
Kaliyakkavilai Police Station,
Kanyakumari District.

... Respondent/Respondent

Prayer :-

This Petition filed under section 482 of Cr.P.C to modify the condition imposed in Crl RC(MD).No.873 of 2021 dated 08.12.2021.

Prayer in CRL RC(MD) . 873/ 2021 :

This Criminal Revision Petition filed under section 397 r/wsection 401 Cr.P.C to call for the records and to allow the Revision Petition and set aside the order passed in Cr.M.P. No. 3770 of 2021 on the file of the learned Principal Sessions Judge, Kanaykumari District dated. 07.09.2021 in so far as condition no. (i).in paragraph No.6 is concerned.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof, perusing earlier order of this Court and upon hearing the arguments of Thiru.R.Mohanasundaram., Advocate for the Petitioner and of Mrs.M.Aasha, Government Advocate for the respondent, this Court made the following order:

This petition is filed to modify the condition imposed in Crl.R.C(MD)No.873 of 2021, dated 08.12.2021.

2.The learned counsel appearing for the petitioner submitted that the petitioner filed a petition to return the vehicle bearing Registration No.TN-74-AQ-8223 before the learned Principal Sessions



Judge, Kanyakumari District and the same was allowed by the learned judge in Cr.M.P.No.3770 of 2021, dated 07.09.2021 by imposing some conditions. One of the conditions imposed to the petitioner is that 'the petitioner should execute a bond for a sum of Rs.6,00,000/- (Rupees Six lakhs only) with two solvent sureties (Solvency Certificate to be obtained from the concerned Tahsildar) each for a likesum to the satisfaction of the Judicial Magistrate No.1, Kuzhithurai. Challenging the said condition imposed by the trial Court, the petitioner has filed CrI.R.C(MD)No.873 of 2021 and this Court by order dated 08.12.2021 allowed the said petition and imposed certain conditions. But the petitioner was not in a position to comply with the conditions, so he filed a petition in CrI.M.P(MD)No.2398 of 2022 in CrI.R.C(MD)No.873 of 2021 and the same was dismissed. Hence, he filed this petition seeking to modify the said condition.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.Taking into consideration the submissions made by both the learned counsel, this petition is modified in respect of the condition Nos.1 and 3 are alone and the 1st condition is modified to the effect that 'the petitioner is directed to execute a bond with two sureties each for sum of Rs.4,00,000/- (Rupees Four lakhs only) and the 3rd condition is modified to the effect that the petitioner is directed to deposit Rs.1,00,000/- (Rupees One lakh only) before the trial Court in Cr.No.408 of 2021, Kalikakavilai Station. In respect of other conditions, the order dated 08.12.2021, in CrI.R.C (MD)No.873 of 2021, shall remain unaltered.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

TO

1. The Principal Sessions Judge, Nagercoil,
Kanyakumari District
2. The Judicial Magistrate No.1, Kuzhithurai
3. The Inspector of Police
Kaliyakkavilai Police Station Kanyakumari
District.

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



WEB COPY

CRL MP(MD). No.5373 of 2022

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

ORDER DATED : 27/04/2022

=====

ORDER

=====

CRL MP(MD) . No.5373 of 2022

in

CRL RC(MD) No.873 of 2021

Giving direction and etc.
as stated within.

RK(11/05/2022) 3P 5C