



CrI.R.C.(MD) No.411 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

**CrI.R.C.(MD)No.411 of 2022
and
CrI.M.P.(MD)No.5311 of 2022**

Ramprabhu @ Ramprabhu Rajendran

... Revision Petitioner/Petitioner

Vs.

**The State represented by
The Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
(Crime No.3 of 2022)**

... Respondent/Respondent

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 in Cr.M.P.No.3267 of 2022 dated 20.04.2022 passed by the learned Judicial Magistrate No.2, Virudhunagar, and set aside the same.

For Petitioner : Mr.G.Mariappan

**For Respondent : Mr.S.Manikandan,
Government Advocate (Crl. side)**



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ORDER

This Criminal Revision Petition is directed against the order passed in Cr.M.P.No.3267 of 2022 dated 20.04.2022 passed by the learned Judicial Magistrate No.2, Virudhunagar, dismissing the application filed under Section 451 Cr.P.C.

2.The petitioner is an accused in Crime No.3 of 2022 on the file of the respondent police for the offences under Sections 420, 465, 468, 471 and 506(1) IPC.

3.It is not in dispute that during the investigation, the respondent police has recovered two cars viz., Toyota/Fortuner bearing Registration No.TN-84-J-5000 and XUV 500 bearing Registration No.TN-65-A-5000, which were allegedly belonging to the petitioner.

4.The petitioner has filed a petition in Cr.M.PNo.3267 of 2022 seeking orders to return of the vehicles and the learned Magistrate, by observing that the vehicles could be purchased by the money allegedly receiving from the defacto



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complainant/victim, dismissed the petition. Challenging the dismissal order, the above Criminal Revision came to be filed before this Court.

5.The learned counsel for the petitioner would submit that the petitioner was granted bail by this Court in Crl.O.P.(MD)No.4718 of 2022 dated 04.04.2022 by imposing conditions that the petitioner has to deposit a sum of Rs.20,00,000/- before the concerned Court and to produce the bank guarantee or title deeds of the property worth about Two Crores before the concerned Court within a period of one month after releasing on bail. He would further submit that the petitioner has already deposited Rs.20,00,000/- before the concerned Court and also produced the title deeds worth about Two Crores.

6.The learned Government Advocate (Criminal Side) would submit that they came to know that the petitioner has allegedly cheated five persons to the tune of Rs.2,24,79,000/- and that since the petitioner/accused has allegedly purchased the vehicles from the looted money, they have seized the above said two vehicles.



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7.It is evident from the records that the petitioner has deposited a sum of Rs.20,00,000/- before the concerned Court on 06.04.2022 and the learned Magistrate has verified the documents produced by the petitioner and accepted the same on 31.05.2022.

8.Considering the above facts and circumstances of the case and also the fact that the petitioner has already deposited a sum of Rs.20,00,000/- before the concerned Court and produced title deeds relating to the properties worth about Rupees Two Crores, this Court is inclined to allow the petition with certain conditions.

9.In the result, this Criminal Revision Petition is allowed and the order dated 20.04.2022 in Cr.M.P.No.3267 of 2022 in Crime No.3 of 2022 on the file of the learned Judicial Magistrate No.2, Virudhunagar, is hereby set aside and the said two vehicles are ordered to be returned to the petitioner on the following conditions:-

- (a) the petitioner shall execute a bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) for the vehicle Toyota/Fortuner bearing Registration



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No.TN-84-J-5000 with two sureties for a like sum, and Rs.5,00,000/- (Rupees Five Lakhs only) for the vehicle XUV 500 bearing Registration No.TN-65-A-5000, with two sureties for a like sum, to the satisfaction of the learned Judicial Magistrate No.2, Virudhunagar;

- (b) the petitioner shall deposit the original Registration Certificates of both the vehicles before the learned Judicial Magistrate No.2, Virudhunagar;
- (c) the petitioner shall not alienate and shall not make any alteration in the above said two vehicles;
- (d) the petitioner shall produce the above said two vehicles before the Court and before the respondent police as and when required

Consequently connected miscellaneous petition is closed.

29.06.2022

Index : Yes/No
Internet : Yes/No
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K.MURALI SHANKAR, J.

csn

To:-

- 1.The Judicial Magistrate No.2,
Virudhunagar.
2. The Inspector of Police,
District Crime Branch,
Virudhunagar,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**ORDER MADE IN
CrI.R.C.(MD)No.411 of 2022**

29.06.2022