



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2022

CORAM:

THE HONOURABLE MRS. JUSTICE R.THARANI

Crl.R.C. (MD) .No.494 of 2022

Mohandass

...Revision Petitioner/Petitioner/
Owner of the Vehicle

Vs.

The State Represented by,
The Inspector of Police,
Chinthamanipatti Police Station,
Chinthamanipatti,
Karur District.
(In Crime No.52/2022)

...Respondent/Respondent/Complainant

PRAYER: Criminal Revision Case filed under Section 397 and 401 Cr.P.C. praying to call for the records pertaining to the order of the learned Vacation Sessions Judge, Karur in Crl.M.P.No.60 of 2022 in Crime No.52 of 2022 dated 11.05.2022 and modify and set aside the same so far as it relates to clause (i) of the said order to deposit amount of Rs.3,00,000/- before the Court below in Crime No.52 of 2022 of Chinthamanipatti Police Station.

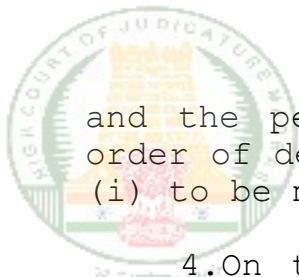
For Petitioner : Mr.Sarvagan Prabu
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor.

ORDER

This Criminal Revision Petition has been filed to modify and set aside the order passed by the learned Vacation Sessions Judge, Karur in Crl.M.P.No.60 of 2022, dated 11.05.2022, so far as it relates to clause (i) of the said order to deposit a sum of Rs.3,00,000/- before the Court below in Crime No.52 of 2022 of Chinthamanipatti Police Station.

2.A vehicle, viz., Tipper lorry, bearing Registration No.TN-20-AR-9648 was seized by the respondent police, in Crime No.52 of 2022 under Section 379 of IPC and 21(1) of Mines and Minerals (Development and Regulation) Act, 1957. The petitioner claiming himself as the owner of the vehicle filed a petition in Crl.M.P.No.60 of 2022 before the Vacation Sessions Court, Karur, for temporary return of the vehicle. The Sessions Judge has allowed the petition on certain conditions. The petitioner has preferred this Revision against the condition No.(i).

3.On the side of the petitioner, it is stated that the trial Court has directed the petitioner to deposit a sum of Rs.3,00,000/-



and the petitioner is not able to deposit the same and the said order of deposit is excessive in nature and prayed the condition No. (i) to be modified.

4. On the side of the prosecution, it is stated that the said condition is reasonable. If the vehicle is returned to the petitioner, there is a possibility of the vehicle being used for commission of similar offence again. There is no necessity to modify the conditions or to set aside the condition and prayed the petition to be dismissed.

5. In view of the above, the order passed by the learned Vacation Sessions Judge, Karur in Crl.M.P.No.60 of 2022, dated 11.05.2022 in condition No.(i) is modified to the effect that the petitioner is directed to deposit Rs.1,00,000/- (Rupees One Lakh only) before the Court below in Crime No.52 of 2022 and execute a bond for a sum of Rs.3,00,000/- (Rupees Three Lakhs only) within a period of two weeks from the date of receipt of a copy of this order. In respect of other conditions, the order of the learned Vacation Sessions Judge shall remain unaltered.

6. With the above direction, this Criminal Revision Case is allowed.

Sd/-

Vacation Officer

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj/lm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Vacation Sessions Judge, Karur.

2. The Judicial Magistrate No.1, Kulithalai.

3. The Inspector of Police,
Chinthamanipatti Police Station,
Chinthamanipatti,
Karur District.



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

Copy to:

The Section Officer,Criminal(Records),
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-24282[F] dated
03/06/2022)

Crl.R.C. (MD) .No.494 of 2022
02.06.2022

MGJ(09.06.2022) 3P 8C