



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2022

CORAM:

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

Crl.RC(MD)No.619 of 2021

WEB COPY

K.Karthick

... Petitioner/Petitioner

Vs.

1.The Inspector of Police,
Paramakudi Taluk Police Station,
Paramakudi - 623 707,
Ramanathapuram District.
(Crime No.2/2021)

2.The Revenue Divisional officer,
Paramakudi Revenue Division,
Paramakudi - 623 707,
Ramanathapuram District.

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

4.The Tahsildhar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

...Respondents

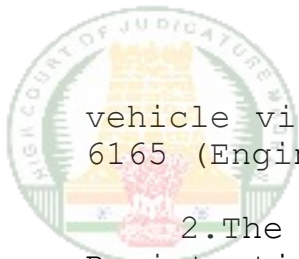
Prayer: This Criminal Revision Petition filed under Section 397(1) and 401 of Cr.P.C., to call for the records pertaining to the impugned order passed by the Hon'ble Principal Sessions Judge of Ramanathapuram, in Cr.M.P.No.761/2021, dated 27.04.2021 and set aside the same and consequently, directing the 1st respondent to release the petitioner's vehicle Ashok Leyland Lorry, bearing Registration No.TN-34-D-6165 (EngineNo.BZE274458, Chasis No.BZE386076 without insisting any deposit of money.

For Petitioner : Mr.P.Krishnasamy

For R1 & R2 : Mr.B.Thanga Aravindh
Govt.Advocate (crl.side)

ORDER

This Criminal Revision Petition has been filed praying to set aside the impugned order passed by the learned Principal Sessions Judge, Ramanathapuram, in Cr.M.P.No.761/2021, dated 27.04.2021, and consequently, direct the 1st respondent to release the petitioner's



vehicle viz., Ashok Leyland Lorry, bearing Registration No.TN-34-D-6165 (EngineNo.BZE274458, Chasis No.BZE386076.

2.The petitioner claims to be the owner of the Lorry bearing Registration No.TN-34-D-6165 (EngineNo.BZE274458, Chasis No.BZE386076. The respondent police has intercepted the vehicle of the petitioner and seized the same on the ground that it was used for carrying illegal sand without any valid permit and registered a case in Crime No.2 of 2021 under Section 21(1) 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.761 of 2021 for release of the Lorry and the learned Judge has allowed the petition filed by the petitioner by its order dated 27.04.2021, by imposing the 3rd condition to the effect that the petitioner should deposit a sum of Rs.1,00,000/- before the Court in Cr.M.P.No.761 of 2021. 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 3rd condition imposed by the learned Principal Sessions Judge, Ramanathapuram are onerous.

5.In view of that, this Criminal Revision Case is allowed. The order of the learned Principal Sessions Judge, Ramanathapuram, made in Cr.M.P.No.761 of 2021, dated 27.04.2021 is modified in respect of the 3rd condition alone and in the 3rd condition it is modified to the effect that the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty thousand only) before the Court, in Cr.M.P.No.761 of 2021. In respect of other conditions, the order of the learned Principal Sessions Judge, Ramanathapuram, shall remain unaltered.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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 Principal Sessions Judge, Ramanathapuram.
- 2.The Inspector of Police,
Paramakudi Taluk Police Station,
Paramakudi - 623 707,
Ramanathapuram District.
- 3.The Revenue Divisional officer,
Paramakudi Revenue Division,
Paramakudi - 623 707,
Ramanathapuram District.
- 4.The Assistant Director,
Geology and Mining Department,
Collectorate Complex,
Ramanathapuram.
- 5.The Tahsildhar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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10.02.2022

RD(24.02.2022) 3P 7C