



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction



Wednesday, the Twenty Sixth day of October Two Thousand and Twenty
Two

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PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL MP(MD).No. 11819 of 2022
in
CRL OP(MD). No.12376 of 2022

A. Palaniappan

... Petitioner/Petitioner/Accused
Vs

1 The Inspector of Police,
Alagappapuram Police Station,
Karaikudi, Sivagangai District.

2 The Secretary,
Alagappa Chettiar Educational Trust,
Alagappapuram, Karaikudi,
Sivagangai District.

... Respondent/Respondent/
Complainants

Prayer in CRL MP(MD).No. 11819 of 2022:-

This Petition filed under Section 482 of Cr. P.C., Praying this Court to modify the order dt. 01/09/2022 made in CRL OP(MD). No.12376 of 2022 thereby directing the learned Principal District Munsif-cum-Judicial Magistrate, Karaikudi to return one more document dated 09.11.2012 in DOC.NO. 2493/2012 on the file No.1, Joint Sub Registrar, Karaikudi in addition to the earlier order of return of one document in Doc. No. 1714 of 2022 dated 16.09.2009.

Prayer in CRL OP(MD). 12376/ 2022 :

This petition filed under Section 439(1) (b) r/w 482 of Cr. P.C., to set aside the order dt. 27/04/2022 made in Crl.M.P.No.1462 of 2022 on the file of the Learned Principal Sessions Judge, Sivagangai and direct to return the title deeds deposited by the petitioner before the Principal District Munsif Cum Judicial Magistrate, Karaikudi, in connection with Crime No.8/2017 on the file of respondent Police, pursuant to the orders made in CRL MP.No. 1861 of 2017 on the file of the Sessions Judge, Sivganga.

ORDER:- This Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. J. Anandkumar, Advocate for the Petitioner and of Mr.Veeranthiran, Government Advocate for the respondents, this Court made the following order:



This Petition has been filed to modify the condition imposed on the petitioner in CrI.O.P(MD).No.12376 of 2022, dated 01.09.2022.



2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (CrI.Side) appearing for the respondent.

3. Considering the facts and circumstances of the case, the condition imposed on the petitioner in CrI.O.P(MD).No.12376 of 2022 is modified to the effect that the petitioner shall deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Crime No.8 of 2017. On receipt of the same, the Judicial Magistrate, Karaikudi is directed to hand over the sale deed ie., Document No.3, Doc.No.2493 of 2012, on the file of No.1, Joint Sub Registrar, Karaikudi, dated 09.11.2022 to the petitioner. The petitioner shall mortgage the said property in question, if needed and he shall not sell the property at any point of time. The other conditions, shall remain unaltered.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

To

1. The Principal Sessions Judge, Sivagangai.
2. The Principal District Munsif Cum Judicial Magistrate, Karaikudi.
3. The Joint Sub Registrar No.1, Karaikudi.
4. The Inspector of Police
Alagappapuram Police Station Karaikudi
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 cc to Mr. J.Anandkumar, Advocate for the Petitioner, SR. No. 50909, dated 26/10/2022

+ 1 CC to Mr.D. Nallathambi, Advocate for the 2nd Respondent, Sr. No. 51746, dated 28/10/2022



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ORDER DATED : 26/10/20



ORDER

CRL MP (MD) .No. 11819 of 2022
in

CRL OP (MD) . No.12376 of 2022
Giving direction and etc.
as stated within.

MGJ/AR(01.11.2022) 3P 8C