



Crl.R.C.(MD)No.1107 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.R.C.(MD)No.1107 of 2022

T.Vijayan

... Petitioner

Vs

The Inspector of Police,
Marthandam Police Station,
Kanyakumari District. Cr.No.264/2022.

... Respondent

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C., to call for records and set aside the first condition in para 7(i) imposed on the petitioner in Crl.M.P.No.4663 of 2022, dated 02.09.2022, on the file of the Principal Sessions Judge, Kanniyakumari District at Nagercoil.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.S.Manikandan
Government Advocate (Crl.Side)



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ORDER

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Challenging the condition in Paragraph 7(i) imposed on the revision petitioner in the order, dated 02.09.2022, in Crl.M.P.No.4663 of 2022, passed by the Principal Sessions Judge, Kanniyakumari District at Nagercoil, this Criminal Revision Case has been filed by the revision petitioner.

2.The revision petitioner claims to be the owner of an unregistered vehicle, ie., Tipper Tempo bearing Registration No.TN-74-J-6050. The respondent Police has registered a case in Crime No.264 of 2022, for the offence under Section 379 IPC. Subsequently, the petitioner has approached the Principal Sessions Judge, Kanniyakumari District at Nagercoil, by way of filing a petition in Crl.M.P.No.4663 of 2022, for release of the vehicle and the same was allowed, by order dated 02.09.2022, thereby, imposing one of the condition to the effect that the petitioner is directed to execute a bond for a sum of Rs. 10,00,000/- with two solvent sureties each for a likesum. Challenging the said condition imposed by the trial Court, the petitioner is before this Court, with this criminal revision.



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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 conditions imposed by the Principal Sessions Judge, Karur are onerous. According to the prosecution, the vehicle said to be 12 years old.

5.In view of that, *this Criminal Revision Case is partly allowed.* Accordingly, *the condition imposed in Paragraph No.7(i) in Crl.M.P.No.4663 of 2022, dated 02.09.2022, is modified, to the effect that the petitioner is directed to execute a bond for a sum of Rs.2,00,000/- (Rupees Two 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.I, Kuzhithurai.* In respect of other conditions, the order of the Principal Sessions Judge, Kanniyakumari District at Nagercoil, shall remain unaltered.

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Index :Yes/No
Internet:yes/No
PNM



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To

1. The Principal Sessions Judge, Karur
2. The Inspector of Police,
Natham Police Station,
Dindigul District. Crime No.316/2022.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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G.ILANGO VAN,J.

PNM

ORDER IN

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