



Crl.R.C.(MD).No.1154 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.1154 of 2022

Palanibose

... Petitioner

Vs.

The State Rep. by its,
The Sub-Inspector of Police,
Thiruthangal Police Station,
Virudhunagar District.
(In Crime No.4/2022)

.. Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the order of the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Crl.M.P.No.3753 of 2022, dated 15.11.2022 in Crime No.368 of 2021 on the file of the Sub Inspector of Police, Thiruthangal Police Station, Virudhunagar District filed by the petitioner under Section 451 Cr.P.C. and set aside the same as illegal with respect to the condition No.(i) by allowing the above criminal revision petition.

For Petitioner : Mr.M.Jagadeesh Pandian

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



Crl.R.C.(MD).No.1154 of 2022

ORDER

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This Criminal Revision Case has been filed against the order of the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Crl.M.P.No.3753 of 2022, dated 15.11.2022 in respect of the condition No.(i).

2.The petitioner's application filed under Section 451 Cr.P.C. for return of vehicle has been allowed with a condition to deposit a sum of Rs.2,50,000/- before the Judicial Magistrate Court No.II, Sivakasi to the credit of the crime number. Challenging the above said condition this petition has been filed.

3.The learned Government Advocate (Crl. Side) submitted that so far no confiscation proceedings has been initiated in respect of the above said vehicle and the vehicle is 2017 year make.

4.The petitioner has filed undertaking affidavit before this Court to the effect that he and his vehicle will not indulge in such crime in future.

5.Considering the submissions on either side and since the vehicle is



Crl.R.C.(MD).No.1154 of 2022

2017 year make, the order that has been passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Cr.M.P.No.3753 of 2022, dated 15.11.2022, is modified to the effect that the petitioner shall deposit a sum of 'Rs.1,00,000/- (*Rupees One lakh only*)' instead of 'Rs.2,50,000/- (*Rupees Two Lakh Fifty Thousand only*)' before the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, to the credit of Crime No.368 of 2021 on the file of the respondent police. The other conditions shall stand unchanged. If any violation is found the order passed in this petition shall stand cancelled automatically and the vehicle may be repossessed by the respondents.

5. With the above directions, this criminal revision case is disposed of.

01.12.2022

Index : Yes / No
Internet : Yes / No
TM

To

1. The Principal District and Sessions Judge, Virudhunagar at Srivilliputhur.
2. The Sub-Inspector of Police, Thiruthangal Police Station,
Virudhunagar District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.R.C.(MD).No.1154 of 2022

G.ILANGOVA,J.

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Crl.R.C.(MD).No.1154 of 2022

01.12.2022