



WEB COPY



Crl.R.C.(MD).No.1211 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

CORAM

**THE HONOURABLE MR. JUSTICE G.ILANGO VAN**

**Crl.R.C.(MD).No.1211 of 2022**

Bala @ Balamurugan

... Petitioner

*Vs.*

The State,  
Rep. by the Inspector of Police,  
Gandarovakkottai Police Station,  
Thanjavur District.

... Respondent

**PRAYER:** This Criminal Revision Case is filed under Sections 397 and 401 of the Criminal Procedure Code, to call for the records relating to the order, dated 18.10.2022 on the file of the learned Principal District and Sessions Judge, Purukkottai in Cr.M.P.No.3630 of 2022 and set aside the clause 01 of the order that the petitioner has to remit a sum of Rs.1,00,000/- (Rupees one Lakh only) as non-refundable amount to the account of the District Siddha Medical Officer, Pudukkottai and order to entrust the interim custody of the vehicle with the petitioner.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondent : Mr.R.Suresh Kumar  
Government Advocate (Crl. Side)

**ORDER**

This criminal revision case has been filed against the order, dated



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18.10.2022 on the file of the learned Principal District and Sessions Judge, Purukkottai in Cr.M.P.No.3630 of 2022.

2.This revision has been preferred against the order of the condition passed by the trial Court, by which, the revision petitioner was directed to deposit a sum of Rs.1,00,000/- as non refundable amount to the credit of the District Siddha Medical Officer, Pudukkottai. Against the above said conditional order, this revision has been filed on the ground that on the date of alleged occurrence, the vehicle was having proper permit to transport the sand.

3.The learned Additional Public Prosecutor was directed to verify the above said statement. A letter from the Assistant Director of Department of Geology and Mining has been produced, wherein, it has been stated that the vehicle bearing registration No.TN 04 AH 5172 was issued with permit, which was in force from 29.07.2022 to 02.08.2022. The date of occurrence is stated to be on 30.07.2022. On the date of above said occurrence, he is having valid permit. Therefore, the condition (i) imposed by the trial Court in order, dated 18.10.2022 on the file of the learned Principal District and Sessions Judge, Purukkottai in Cr.M.P.No.3630 of 2022 is hereby set aside.



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The property shall be returned to the petitioner without insisting the above said deposit by following other procedures as per law.

4.With the above said directions, this Criminal revision case is allowed.

**23.12.2022**

Index : Yes / No  
Internet : Yes / No  
TM

To

- 1.The Principal District and Sessions Judge, Purukkottai
- 2.The Inspector of Police, Gandarvakkottai Police Station,  
Thanjavur District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.



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**G.ILANGOVA N,J.**

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