



Crl.R.C.(MD)No.1178 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.R.C.(MD)No.1178 of 2022

Jayaseelan

... Petitioner

Vs

The Sub Inspector of Police,
Arumanai Police Station, Nagercoil,
Kanniyakumari (Crime No. 218 of 2022).

... Respondent

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C., to call for records and set aside and modify the first condition alone in the order passed in Crl.M.P. No. 6118 of 2022, dated. 14.11.2022, by the Principal District and Sessions Judge, Nagercoil, Kanniyakumari.

For Petitioner : Mr.Ramakrishna Dass N S

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



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ORDER

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Challenging the first condition imposed on the revision petitioner in the order, dated 14.11.2022, in Crl.M.P.No.6118 of 2022, passed by the Principal Sessions Judge, Kanniyakumari District at Nagercoil, this Criminal Revision Case has been preferred.

2.The revision petitioner claims to be the owner of Hyundai Hydraulic Excavator Model No.R80, Invoice No.JNCEEQMD18190079, Machine Serial No.R80 NID4D00508. The respondent Police has registered a case in Crime No.218 of 2022, for the offence under Sections 379 IPC and 21(1) of Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the Principal Sessions Judge, Kanniyakumari District at Nagercoil, by way of filing a petition in Crl.M.P.No.6118 of 2022, for release of the vehicle and the same was allowed, by order dated 14.11.2022, thereby, imposing one of the condition to the effect that the petitioner is directed to execute a bond for a sum of Rs.15,00,000/- with two solvent sureties (solvency certificate to be obtained from the concerned Deputy Tahsildar) 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 Court below are onerous.

5.In view of that, *this Criminal Revision Case is allowed.* Accordingly, *the first condition imposed in Crl.M.P.No.6118 of 2022, dated 14.11.2022, is modified, to the effect that the petitioner is directed to execute a bond for a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) with two sureties 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.

01.12.2022

Index :Yes/No

Internet:yes/No

PNM



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To

- 1.The Principal Sessions Judge,
Kanniyakumari District at Nagercoil
- 2.The Sub Inspector of Police,
Arumanai Police Station, Nagercoil,
Kanniyakumari (Crime No. 218 of 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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