



Crl.R.C.(MD)No.1180 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.1180 of 2022

Sethu

... Petitioner

Vs

The Inspector of Police,
Mayanur Police Station, Karur District
(Crime No.145 of 2018).

... 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 condition in the order passed in Crl.MP.No.1904 of 2022, dated 19.10.2022, by the Principal Sessions Judge, Karur District.

For Petitioner : Mr.K.C.Maniyarasu

For Respondent : Mr.RMS.Sethuraman
Additional Public Prosecutor



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ORDER

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Challenging the first condition imposed on the revision petitioner in the order, dated 19.10.2022, in Crl.M.P.No.1904 of 2022, passed by the Principal Sessions Judge, Karur, this Criminal Revision Case has been preferred.

2.The revision petitioner claims to be the owner of a vehicle, ie., Taurus Lorry bearing Registration No.TN-48-M-8188. The respondent Police has registered a case in Crime No.145 of 2018, for the offence under Sections 379 IPC r/w 21(1) of Mines and Minerals (Development and Regulation) Act. Subsequently, the petitioner has approached the Sessions Judge, Karur, by way of filing a petition in Crl.M.P.No.378 of 2022, for release of the vehicle and the same was allowed, by order dated 19.04.2022, thereby, imposing one of the condition to the effect that the petitioner is directed to deposit original RC book of the vehicle. Again, the petitioner filed a petition in Crl.M.P.No.1904 of 2022 to modify the conditions imposed in Crl.M.P.No.378 of 2022, the same was dismissed. Challenging the same, 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 original RC book of the vehicle has been deposited in Shriram Finance, for the purpose of loan and still the loan is not discharged, the said RC book is in the custody of the Finance. Therefore, the petitioner could not comply with the condition imposed by the Court below.

5.In view of that, *this Criminal Revision Case is allowed.* Accordingly, *the petitioner is directed to file an undertaking affidavit to the effect that the original RC book, which is stated to be in the custody of Shriram Finance, will be produced before the Court below, soon after, the discharge of loan. On filing such an affidavit, the Principal Sessions Judge, Karur, may return the vehicle. Other conditions shall stand unaltered.*

01.12.2022

Index :Yes/No
Internet:yes/No
PNM



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To

1. The Principal Sessions Judge, Karur
2. The Inspector of Police,
Mayanur Police Station, Karur District
(Crime No.145 of 2018).
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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