



CrI.R.C.No.359/2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2023

CORAM

THE HONOURABLE MR. JUSTICE V. SIVAGNANAM

CRL.R.C.NO.359 OF 2023

Rajeshkumar

.. Petitioner

-vs-

State, represented by
the Inspector of Police,
Thirukkalar Police Station,
Thiruvarur District.
Cr.No.46/2019

... Respondent

Prayer: Criminal Revision Petition filed under section 397 r/w.401 Cr.P.C.,to set aside the order and modify the condition imposed by the learned Principal Sessions Judge, Tiruvarur in CrI.M.P.No.584/2021, by order dated 27.09.2021.

For Petitioner : Mr. S.L.Venkatesan

For Respondent : Mr.V.Meganathan, GA (crl.side)

ORDER

This Criminal Revision Case is filed by the petitioner to set aside the order and modify the condition imposed by the learned Principal Sessions Judge, Tiruvarur in CrI.M.P.No.584/2021, by order dated 27.09.2021.



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2. The petitioner's vehicle viz., Tipper Lorry bearing Regn. No.TN 58 AT 3164 was seized by the respondent police for illegal transportation of minerals without proper permission or licence in Cr.No.46/2019. Against the said seizure, the petitioner, who is the owner of the vehicle, filed a petition in Crl.M.P.No.584/2021 before the Principal Session Judge, Tiruvarur seeking interim custody of the abovesaid vehicle. The learned Sessions Judge, by order dated 27.09.2021, granted interim custody of the above said vehicle to the petitioner on a condition that the petitioner shall deposit a sum of Rs.95,000/- before the Judicial Magistrate No.I, Mannargudi on or before 27.10.2021 and on further condition that he shall deposit non-refundable amount of Rs.5000/- to the Chairman/District Judge, The District Legal Services Authority, Thiruvarur, Kumbakonam Central Co-operative Bank Ltd, Thiruvarur Main, Account No.710729593, IFSC No.TNSC0010400 and proof of payment of the same shall be filed by the petitioner before the learned Judicial Magistrate No.1, Mannargudi on or before 27.10.2021.

3. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that due to Covid 19 pandemic situation and other inabilities, the petitioner is unable to mobilize funds, hence, he is not able to comply with the abovesaid conditions. Therefore, he seeks for extension of time to comply with the above said conditions.

4. The learned Govt. Advocate (crl.side) has no objection for extension of time for complying with the abovesaid conditions.



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5. Considering the submission of the learned counsel for the petitioner, a further time of three weeks from the date of receipt of a copy of this order is granted to comply with the above said conditions imposed in the impugned order dated 27.09.2021 passed by the trial judge.

6. With this observation, this Criminal Revision case is disposed of.

28.02.2023

msr

Index:Yes/No

Internet:Yes/No

To

1. The Principal Sessions Judge, Tiruvarur.
2. The Inspector of Police, Thirukkalar
Police Station, Thiruvarur District.

Note: Issue copy on 06.04.2023



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V.SIVAGNANAM, J.

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