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Crl.OP.No.3205 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2023

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THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3205 of 2023

Veerarajan

...Petitioner

Vs.

State Represented by its,
The Inspector of Police,
Koradachery Police Station,
Thiruvarur District.
Crime No.9 of 2022

... Respondent

PRAYER : This Criminal Original Petition is filed under Section 482 of Cr.P.C., to modify the condition imposed in Crl.M.P.No.606 of 2022 on the file of the learned Principal Sessions Judge, Thiruvarur, dated 01.06.2022 “i)directing the petitioner to deposit a sum of Rs.95,000/- before the learned Judicial Magistrate, Thiruvarur on or before 01.07.2022”.

For Petitioner : Mr.G.Saravanabhavan
For Respondent : Mr.S.Santhosh
Government Advocate (Crl side)



Crl.OP.No.3205 of 2023

WEB COPY

ORDER

This Criminal Original Petition has been filed to modify the condition imposed in Crl.M.P.No.606 of 2022 on the file of the learned Principal Sessions Judge, Thiruvarur, dated 01.06.2022 “i)directing the petitioner to deposit a sum of Rs.95,000/- before the learned Judicial Magistrate, Thiruvarur on or before 01.07.2022”.

2.The learned counsel for the petitioner submitted that petitioner filed Crl.M.P.No.606 of 2022 seeking interim custody of lorry bearing No.TN 63 S 5026. The learned Principal Sessions Judge, Thiruvarur, while ordering the return of vehicle as interim custody imposed a condition of directing the petitioner to deposit Rs.95,000/- before the learned Judicial Magistrate, Thiruvarur, on or before 01.07.2022. Petitioner is not able to comply this condition for the reason that he has only this lorry as his source of income.

3.This Court on going through the order of the learned Principal Sessions Judge, Thiruvarur, finds that the learned Principal Sessions Judge, Thiruvarur,



Crl.OP.No.3205 of 2023

apart from imposing the direction to deposit Rs.95,000/-, directed the petitioner to deposit non-refundable amount of Rs.5,000/- to the Co-ordinator / Sub Judge, District Mediation Centre, Thiruvarur, Indian Overseas Bank, Thiruvarur Thandalai Branch, Account No.226601000004079, IFSC No.IOBA002266. One other condition imposed was that petitioner should execute bond for Rs.1,00,000/- along with two sureties. In the considered view of this Court, the condition to execute a bond for Rs.1,00,000/- along with two sureties is enough to secure the vehicle during the time of trial.

4.In this view of the matter, the condition directing the petitioner to deposit Rs.95,000/- is set aside and other conditions are retained. Accordingly, this Criminal Original Petition is disposed of. Petitioner is given two weeks time from the date of receipt of copy of this order for comply with the other conditions.

13.02.2023

Index : Yes / No
Speaking / Non Speaking order
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3/5



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Crl.OP.No.3205 of 2023

G.CHANDRASEKHARAN,J.

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To

- 1.The Inspector of Police,
Koradachery Police Station,
Thiruvarur District.
- 2.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.3205 of 2023



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Crl.OP.No.3205 of 2023

13.02.2023