



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15156 of 2023

Manickavalli

Petitioner

vs.

The State represented by
The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore City.
Crime No.468 of 2022.

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set-aside the condition No.1, 2 and imposed in the order dated 15.02.2023 made in CMP.No.3657 of 2023 on the file of the Judicial Magistrate No.VI, Coimbatore by allowing this Criminal Original Petition.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

This Criminal Original petition has been filed challenging two of the conditions imposed by the Court below while allowing the application filed by the petitioner under Section 451 of Cr.PC and granting interim custody of the vehicle to the petitioner.

2. The respondent police in the course of investigation in Crime No.468 of 2022 seized the vehicle belonging to the petitioner from her son who is alleged to have carried banned tobacco substances in the vehicle. The petitioner filed an application under Section 451 of Cr.PC, seeking for interim custody of the Vehicle. The Court below allowed the application subject to certain condition. The petitioner is aggrieved by the following two conditions:-

1.The petitioner shall execute a bond for Rs.1,00,000/- along with two surieties and execute bond for like sum.

2. The petitioner shall surrender the original RC book before this Court.

Aggrieved by the same, the present Criminal Original petition has been



filed before this Court.

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3. Heard Mr.R.Prabakar, learned counsel for the petitioner.

4. The learned Additional Public Prosecutor appearing for respondent on instructions submitted that the investigation has been completed and final report will be filed shortly.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Additional Public Prosecutor, the conditions imposed by the Court below are modified in the following terms :-

(a) The petitioner shall execute a bond for a sum of Rs.10,000/- along with two sureties for a like sum.

(b) The petitioner shall file a sworn affidavit before the Court below undertaking that the vehicle will not be encumbered /sold without the permission of the Court. and

(c)The petitioner while producing the vehicle once in a month before the Court below, shall also produce the original RC book.



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6. This Criminal Original petition is disposed of in the above terms.

07.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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To

1. The Inspector of Police,
Ramanathapuram Police Station,
Coimbatore City.
2. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH,. J.

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