



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17521 of 2023

Sivanandham

.. Petitioner

Vs.

The State rep. by its
Inspector of Police,
Sathyamangalam Police Station,
Erode District.

.. Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order in Crl.M.P.No.2003 of 2023 dated 10.05.2023 in Crime No.15 of 2021 passed by the learned Judicial Magistrate, Sathyamangalam and allow the modification petition.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This petition has been filed challenging the order passed by the Court below in Crl.M.P.No.2003 of 2023 filed by the petitioner seeking for the



modification/relaxation of the condition imposed by the Court below while permitting the release of the vehicle through the earlier order made in C.M.P.No.362 of 2021, dated 12.02.2021.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.It is seen from records that the petitioner is not an accused in this case and his application for release of vehicle was allowed by the Court below and the petitioner has been complying with the condition imposed by the Court below from 01.04.2021 to 01.05.2023. Hence, the petitioner filed an application seeking for the modification / relaxation of the condition. The Court below has chosen to dismiss the application and aggrieved by the same, this petition has been filed before this Court.

4.The learned Additional Public Prosecutor on instructions submitted that the investigation has been completed and final report has also been filed before the Court below. The learned Additional Public Prosecutor further submitted that Condition No.3 that was imposed by the Court below in



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C.M.P.No.362 of 2021 has also been complied with and the necessary photographs of the vehicle has been taken and the vehicle has been identified under a panchanama.

5.In view of the above, the condition imposed by the Court below in C.M.P.No.362 of 2021 is hereby, relaxed and the petitioner is directed to produce the vehicle as and when it is required by the Court below during the course of trial.

6.In the result, the order passed by the Court below Crl.M.P.No.2003 of 2023, dated 10.05.2003 is set aside and this Criminal Original Petition stands allowed in the above terms.

04.08.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
SSR

To

1.The Judicial Magistrate, Sathyamangalam.



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N.ANAND VENKATESH, J

SSR

2.The Inspector of Police,
Sathyamangalam Police Station,
Erode District.

3.The Public Prosecutor
High Court of Madras,
Madras.

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