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Crl.O.P.No.17778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.17778 of 2023

M/s.G.B.Infrastructure,
H.O. Mojowal, P/o. Naya Nangal,
TEC Nangal, Ropar, Rup Nagar,
Punjab - 140 126.
Rep. by its Partner,
Balram Kumar

.. Petitioner

Versus

State represented by
The Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District.
(Crime No.306 of 2023)

.. Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records pertaining to the order in Cr.M.P.No.1363 of 2023 dated 25.07.2023 passed by the learned District and Sessions Judge, Mayiladuthurai and modify the order insofar as it relates to the condition to deposit a sum of Rs.20,00,000/- (Rupees Twenty lakhs) as fixed deposit and modify the same.

For Petitioner : Mr.A.Mohamed Ismail



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For Respondent : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This petition has been filed seeking for the modification of one of the conditions imposed by the Court below while allowing the application filed by the petitioner for return of vehicle in Cr.M.P.No.1363 of 2023 by order, dated 25.07.2023.

2. Heard Mr.A.Mohamed Ismail, learned Counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor for the respondent.

3. The petitioner is aggrieved by the following condition imposed by the Court below:-

"(a) the petitioner shall deposit a sum of Rs.20,00,000/- (Rupees Twenty Lakh Only) as fixed deposit in the name of company "G.B. Infrastructure" of the petitioner in any nationalized bank and to submit the fixed deposit receipt produce to this court and after disposal of the case to receive the FDR."

4. It is brought to the notice of this Court that the petitioner is only the owner of the vehicle. Taking into consideration the facts and circumstances



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of this case, this Court is inclined to modify the condition imposed by the Court below in the following terms:-

"The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One lakh only) with two sureties for a like sum to the satisfaction of the Court below".

5. The other conditions imposed by the Court below shall stand as it is.

6. This Criminal Original Petition is disposed off accordingly.

08.08.2023

Index : yes/no
Speaking order/Non-speaking order
Neutral Citation : yes/no
grs

Note : Issue order copy on 09.08.2023.

To

1. The The Inspector of Police,
Sirkali Police Station,
Mayiladuthurai District.
2. The Public Prosecutor,
High Court of Madras.
3. The District and Sessions Judge,



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N.ANAND VENKATESH, J.

grs

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