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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19658 of 2023

Ayyappan, M/54-Y
S/o.Govindhan @ Govindarajan

.. Petitioner

vs.

State, rep. By
The Inspector of Police
Velankanni Police Station
Nagapattinam District.
(Cr.No.351 of 2021)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed on the petitioner by the learned District and Sessions Judge, Nagapattinam in Crl.MP.No.2513 of 2023 vide order dated 9.8.2023 in respect of that the petitioner shall deposit a sum of Rs.1,00,000/- as fixed deposit.

For Petitioner : Mr.M.Vijaya Ragavan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



ORDER

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This criminal original petition has been filed challenging one of the condition that was imposed by the Court below while allowing the application filed by the petitioner seeking for return of vehicle in CrI.MP.No.2513 of 2023 dated 09.8.2023.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (CrI. Side) for respondent.

3.The vehicle belonging to the petitioner was seized by the respondent Police in the course of investigation in Crime No.351 of 2021. The petitioner filed an application for return of vehicle and this application was allowed by the Court below in CrI.MP.No.2513 of 2023, by order dated 09.8.2023. While allowing the application, the Court below imposed the following condition:

1.The petitioner shall deposit a sum of **Rs.1,00,000/- (Rupees one lakh only) as Fixed Deposit** in the name of the petitioner in any nationalized bank and to submit that Fixed Deposit Receipt to this Court and after disposal of the case to receive the FDR.



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above condition is modified as follows:

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1.The petitioner shall execute a bond for a sum of **Rs.1,00,000/-** (Rupees One Lakh only) before the Court below. The Court below shall not insist for any solvency certificate in this case.

5.The condition imposed by the Court below is modified to the extent indicated herein above. The other conditions imposed by the Court below shall stand as it is.

6.This Criminal Original Petition is disposed of accordingly.

29.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
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Note: Issue Order Copy on 30.08.2023



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N. ANAND VENKATESH., J.

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To

- 1.The Inspector of Police
Velankanni Police Station
Nagapattinam District.
- 2.The District and Sessions Judge,
Nagapattinam.
- 3.The Public Prosecutor,
High Court, Madras.

Crl.O.P No.19658 of 2023

29.8.2023