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Criminal Original Petition No.20951 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.20951 of 2023

S.Xavier

S/o.Savarimuthu

...Petitioner

Vs

State represented by
Inspector of Police,
Perundurai Police Station.
Crime No.909 of 2022

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, 1973, praying to modify the conditions imposed by Judicial Magistrate, Perundurai, in CrI.M.P.No.3654 of 2023.

For Petitioner : Mr.T.Dhamodharan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This Criminal Original Petition has been filed challenging one of the condition imposed by the Court below while allowing the petition filed by the petitioner for return of vehicle.

2. Heard Mr.T.Dhamodharan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The petitioner is the owner of the vehicle. This vehicle was seized by the respondent police during the course of investigation in Crime No.909 of 2022. The petitioner filed a petition for return of vehicle in CrI.M.P.No.3654 of 2023. This petition came to be allowed by the Court below by order dated 03.05.2023. The petitioner is aggrieved by the following condition that was imposed by the Court below:

"viii. The Original R.C.Book for the vehicle bearing Reg.No.TN 50 U 5175 shall be surrendered before this court."

4. Learned counsel for petitioner submitted that the RC book of the



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vehicle has been pledged with the private financier for repayment of the loan that was availed by the petitioner for purchasing the vehicle. Therefore, learned counsel sought for the modification of that condition imposed by the Court below.

5. Taking into consideration the facts and circumstances of the case, condition No.viii imposed by the Court below is set aside and all other conditions shall stand as it is.

Accordingly, this Criminal Original Petition is disposed of.

13.09.2023

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

N.ANAND VENKATESH, J



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To

- 1.The Judicial Magistrate,
Perundurai.
- 2.The Inspector of Police,
Perundurai Police Station.
Crime No.909 of 2022
- 3.The Public Prosecutor,
High Court, Madras.

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