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Crl.R.C.(MD).No.43 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.43 of 2023

M.Sundar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(In Crime No.95/2022)

.. Respondent/Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records and modify the condition No.1 to 8 pertaining to the order passed in Cr.M.P.No.5350 of 2022, dated 30.11.2022, on the file of the Sessions Court, Sivagangai District in Crime No.203/2021 on the file of the respondent police.

For Petitioner : Mr.A.Ganesan

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed to modify the condition No.1 to 8 pertaining to the order passed in Cr.M.P.No.5350 of 2022, dated 30.11.2022, on the file of the Sessions Court, Sivagangai District in Crime



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No.203/2021 on the file of the respondent police.

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2.The facts in brief:

The petitioner is arrayed as an accused in Crime No.203 of 2021 for the offences punishable under Sections 147, 148, 120B, 294(b) and 302 IPC. During the course of investigation, the vehicle bearing registration No.TN 63 AK 6873, has been recovered on the basis of the confession statement of the accused. Finding that it was used in the commission of the above said offence, it was remanded before the committal Court in P.R.No.50 of 2021. Seeking interim custody of the vehicle, this petitioner filed this petition under Section 451 Cr.P.C. While granting the interim custody, condition was imposed upon the petitioner to deposit Rs.20,000/- to the credit of crime number before the trial Court. Aggrieved over the condition, this revision has been preferred on the ground that the vehicle is of the old make in the year 2015 and do not worth about Rs.50,000/-. RC Book has also been produced, wherein, it is seen that the date of manufacture of the vehicle is 01.12.2015.

3.Considering the ownership of the vehicle and the date of manufacture of the vehicle, this Court is inclined to reduce the deposit



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amount that has been imposed by the trial Court.

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4. Accordingly, this Criminal Revision Case is disposed of and the condition No.2 imposed by the trial Court in the order dated 30.11.2022 passed in Cr.M.P.No.5350 of 2022 is modified to the effect that the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of crime number before the trial Court. The other conditions imposed by the trial Court shall stand unchanged.

11.01.2023

Index : Yes / No
Internet : Yes / No
TM

To

1. The Principal Sessions Judge, Sivagangai.
2. The Inspector of Police, Thiruppachethi Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGO VAN,J.

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