



Crl.R.C.(MD).No.99 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.99 of 2023

Saravana Kumar

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Thiruchuli Police Station,
Thiruchuli,
Virudhunagar District.
(Crime No.51 of 2022)

... Respondent/Respondent

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records of Cr.M.P. No.4519 of 2022 dated 04.01.2023 passed by the learned Principle District and Sessions Judge, Virudhunagar District at Srivilliputhur and set aside the same as illegal and consequently direct the learned Principle District and Sessions Judge, Virudhunagar District at Srivilliputhur to release the petitioner's vehicle on interim custody.

For Petitioner : Mr. Balaji.A

For Respondent : Mr. Sakthikumar,
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision Case has been filed against the order passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur in Cr.M.P. No.4519 of 2022 dated 04.01.2023.

2. While dismissing the above said petition that was filed under Section 451 of Cr.P.C., the trial Court has observed that the vehicle and as well as the petitioner was already involved in one previous case in Crime No.51 of 2022. On that ground, the petitioner was directed to file an undertaking affidavit by order dated 30.01.2023.

3. The learned Counsel for the petitioner would submit that the petitioner has given an undertaking affidavit that he will not indulging any kind of illegal activities in future.

4. The learned Government Advocate (Crl.Side) opposed to grant interim custody of the said vehicle to the petitioner.



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5. In view of the above undertaking given by the petitioner, this

Court is inclined to allow this revision.

6. Accordingly, this Criminal Revision Case is allowed and the order, dated 04.01.2023, in Crl.M.P. No.4519 of 2022, passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, is hereby set aside and directed to return the vehicle on interim custody to the revision petitioner on the following conditions:

- 1. The petitioner shall produce the original R.C. Book of the vehicle and directed to give an undertaking affidavit before the learned Principal District and Sessions Judge, Virudhunagar District, to the effect that he will not alter or change the properties of vehicle and he will ensure that in future, the alleged vehicle will not be involved in any illegal activities.*
- 2. The petitioner shall execute a bond to the satisfaction of the concerned Court to be fixed on its own discretion;*



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3. *The petitioner shall produce the vehicle before the respondent and the trial Court as and when required;*

4. *If any of the above conditions are violated, this order will stand automatically cancelled.*

07.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

1. The Inspector of Police,
Thiruchuli Police Station,
Thiruchuli,
Virudhunagar District.
2. The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVA N,J.

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