



Crl.R.C.(MD).No.207 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.207 of 2023

Jeyaprakash

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
(In Crime No.82 of 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 of Cr.M.P No. 3932 of 2022 dated 28.11.2022 passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur and set aside the same.

For Petitioner : Mr. Balaji.A

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

ORDER

This Criminal Revision Case has been filed against the order passed by the learned Principal District and Sessions Judge, Virudhunagar



Crl.R.C.(MD).No.207 of 2023

District at Srivilliputhur, in Cr.M.P. No.3932 of 2022 dated 28.11.2022.

WEB COPY

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 cases of similar nature. On that ground, the petitioner was directed to file an undertaking affidavit by order dated 21.02.2023.

3. The learned Government Advocate (crl. Side) would submit that the petitioner has purchased the vehicle in 2022 from the previous owner of the vehicle. After that the above said case has been registered.

4. 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.

5. In view of the above undertaking given by the petitioner, this Court is inclined to allow this revision.



Crl.R.C.(MD).No.207 of 2023

6. Accordingly, this Criminal Revision Case is allowed and the order, dated 28.11.2022, in Crl.M.P. No.3932 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;*
- 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.*

03.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
indu



Crl.R.C.(MD).No.207 of 2023

G.ILANGO VAN,J.

indu

To

- 1.The learned Principal District and Sessions Court,
Virudhunagar District at Srivilliputhur.
- 2.The Inspector of Police,
Aruppukottai Town Police Station,
Virudhunagar District.
- 3.The Government Advocate (Crl.Side),
Madurai Bench of Madras High Court,
Madurai.

Crl.R.C.(MD).No.207 of 2023

03.03.2023