



Crl.RC.(MD).No.891 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 16.08.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.RC(MD).No.891 of 2023

Logeswaran

.. Petitioner

Vs.

The State rep.by
The Inspector of Police,
Thillai Nagar Police Station,
Trichy City,
(Crime No.1336 of 2023)

.. Respondent

PRAYER: Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records relating to the case in Crl.M.P.No.22199 of 2023 on the file of the Judicial Magistrate No.IV, Trichirappalli dated 27.07.2023 in Crime No.1336 of 2023 on the file of the respondent police and set aside the condition No.1 issued by the learned Judicial Magistrate No.IV, Trichirappalli.



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For Appellant : Mr.S.Sathya Chidambaram
For Respondent : Mr.M.Vaikkam Karunanithi
Government Advocate (Criminal Side)

ORDER

This Criminal Revision Case has been filed against the condition No.1 imposed on the petitioner in Crl.M.P.No.22199 of 2023 dated 27.07.2023, by the learned Judicial Magistrate No.IV, Trichirapalli.

2. The petitioner is the owner of JCB bearing registration No.TN 45 BJ 9366. According to the petitioner, the petitioner's vehicle is said to have involved in the offence under Sections.147, 295, 297, 447 and 427 of IPC.

3. Pending investigation on the file of the respondent police, the petitioner filed Crl.M.P.No.22199 of 2023, on the file of the learned Judicial Magistrate No.IV, Trichirapalli, under Section 457 of Criminal Procedure Code 1973, to return the vehicle.



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4. The learned Judicial Magistrate No.IV, Trichirappalli allowed the petition filed by the petitioner with the following conditions:

(i) The petitioner should execute an own bond of sum of Rs.20,00,000/- (Rupees Twenty Lakhs Only) along with two sureties for like sum and one of the surety must be close relative of the petitioner.

(ii) The petitioner should surrender his original RC Book before this Court.

(iii) The petitioner is directed to take four side photographs of his vehicle and shall produce it before the Court.

(iv) A Panchanama for the vehicle be prepared and the same be recorded.

(v) The petitioner shall furnish an affidavit of undertaking to the effect that he will cause production of the vehicle in question before this Court on the first working day of every month and further, he shall not alienate the property in any manner till the disposal of the case.

(vi) The petitioner shall not alter the character and nature of the vehicle except by vehiclerying out necessary repairs to make the vehicle road worthy.

Challenging the first condition imposed on the petitioner in Crl.M.P.No.22199 of 2023, by the learned Judicial Magistrate No.IV, Trichirappalli, the petitioner filed this Criminal Revision Case.



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5. This Court considered the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. According to the petitioner, the value of the property is Rs. 16,00,000/- (Rupees Sixteen Lakhs) as per the documents furnished before this Court. In the said circumstances, this Court is inclined to allow this revision by partly modifying the first condition imposed by the learned Judicial Magistrate No.IV, Trichirappalli. Accordingly, the petitioner shall execute an own bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) instead of Rs.20,00,000/- (Rupees Twenty Lakhs Only) along with two sureties each for a like sum and one of the surety must be close relative of the petitioner.

7. In view of the above modification, this Criminal Revision Case stands allowed.

16.08.2023

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



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To

- 1.The Inspector of Police,
Thillai Nagar Police Station,
Trichy City.
- 2.The learned Judicial Magistrate No.IV,
Trichirappalli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

sbm

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