



CRL MP(MD) No.16501 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Eighth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice V.SIVAGNANAM

CRL MP(MD) No.16501 of 2023

IN

CRL OP(MD) No.6283 of 2009

LALU @ LAL BAHADUR

... PETITIONER/PETITIONER

Vs

1 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DOWRY PROHIBITION WING,
SOUTH VELI STREET, MADURAI -1.

2 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MADURAI TOWN,
MADURAI.

CR.NO.16/2009

... RESPONDENTS/RESPONDENTS

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to issue direction directing the judicial Magistrate No.I, Madurai to refund the security deposit amount of Rs.50,000/-deposited vide receipt No.12339 dt 28.8.2009 by the petitioner pursuant to the order of this Hoourable Court in CrI.O.P.(MD).No.6283 of 2009 in Crime No.16 of 2009.

Order : This Criminal Miscellaneous Petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of

<https://www.mhc.tn.gov.in/judis>



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Mr.T.LENINKUMAR, Advocate for the petitioner and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondents, the court made the following order:-

This criminal miscellaneous petition has been filed to direct the Judicial Magistrate No.I, Madurai to refund the security deposit amount of Rs.50,000/- deposited vide Receipt No.12339 dated 28.08.2009 by the petitioner pursuant to the order of this Court in CrI.O.P.(MD)No.6283 of 2009 in Cr.No.16 of 2009.

2.The learned counsel appearing for the petitioner would submit that the petitioner herein has been directed to deposit a sum of Rs.50,000/- as per order of this Court while granting anticipatory bail in CrI.O.P.(MD)No.6283 of 2009 dated 27.08.2009. Subsequently, after completion of trial, the petitioner was acquitted by the trial Court as the petitioner's DNA is not matched with the child. Therefore, he prayed to re-fund the deposited amount of Rs.50,000/-.

3.The learned Additional Public Prosecutor appearing for the respondent police would submit that the case has been ended in acquittal.

4.Considering the facts and circumstances of the case and considering the fact that the petitioner herein has been acquitted by the trial Court as per judgment in S.C.No.24 of 2012 dated 30.10.2017, it is appropriate to direct the trial Court to return the deposited amount. Accordingly, the Court below is directed to refund the deposited amount of Rs.50,000/- to the petitioner.



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5. In the result, this criminal miscellaneous petition is allowed.

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sd/-
08/12/2023

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/12/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

GNS

TO

1 THE JUDICIAL MAGISTRATE NO.I,
MADURAI.

2 THE JUDICIAL MAGISTRATE NO.II,
MADURAI.

3 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, MADURAI.

4 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
DOWRY PROHIBITION WING,
SOUTH VELI STREET, MADURAI -1.

5 THE SUB INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MADURAI TOWN,
MADURAI.

6 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM,
MADURAI.

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+1 CC to M/s.T.LENINKUMAR, Advocate (SR-17521[I] dated 11/12/2023)

ORDER
IN
CRL MP(MD) No.16501 of 2023
IN
CRL OP(MD) No.6283 of 2009
Date :08/12/2023

SA/JGB/SAR. /21.12.2023/4P/9C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.