



Crl.R.C.(MD).No.1274 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.1274 of 2022

Jeyabasker

... Petitioner / Petitioner

Vs.

The Inspector of Police,
E.O.W., Tirunelveli.
Crime No.2 of 2022.

... Respondent/ Respondent

PRAYER: This Civil Revision Case is filed under Sections 401 r/w 397 of the Criminal Procedure Code, to set aside the impugned order dated 10.10.2022 passed in Cr.M.P.No.205 of 2022, on the file of the Special Court for TNPID (In Financial Establishment) Act, 1197, Madurai, by modifying the condition No.I.

For Petitioner : Mr. Vishnuvarthanan P.M.

For Respondent : Mr. B.Nambiselvan
Additional Public Prosecutor



Crl.R.C.(MD).No.1274 of 2022

ORDER

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This Criminal Revision Case has been filed to set aside the impugned order dated 10.10.2022 passed in Cr.M.P.No.205 of 2022, on the file of the Special Court for TNPID (In Financial Establishment) Act, 1197, Madurai, by modifying the condition No.I.

2. The petitioner is facing charges under Section 406, 420, 120(B) of IPC and Section 5 of TNPID Act. In the course of investigation, the vehicle, is the subject matter of this petition which was seized and produced before the Special Court. Seeking interim custody, the petitioner has moved the petition in Cr.M.P.No.205 of 2022 before the Special Court under TNPID Act, 1997, Madurai, under Section 451 and 457 of Cr.P.C., and that was allowed on condition that the petitioner must deposit Rs.2,00,000/-, must also produce the original RC book and apart from that he must execute the bond for Rs.1,00,000/- along with two sureties for a like sum each.

3. Against the above said condition of depositing Rs.2,00,000/-, grievance has been expressed by the petitioner by way of filing this revision. According to him, the entire belongings were seized by the Police,



Crl.R.C.(MD).No.1274 of 2022

absolutely nothing has been left in his hands for satisfying the requirement of deposit of Rs.2,00,000/-.

4. Perusal of records shows that this petitioner has pledged the above said vehicle with IndusInd Bank and the statement of account is also produced, wherein we see that the above said vehicle has been purchased on hire purchase basis, the loan period was mentioned as 60 months and he has to pay monthly installments also.

5. But however, the learned Additional Public Prosecutor would submit that the proceedings are now initiated to attach the above said property.

6. But however, the learned counsel for the petitioner would submit that no Government Order has been issued and it will take longer time to effect the attachment.

7. In the mean time, the petitioner may be permitted to use the vehicle for taking his family members for medical treatment and as well as himself. Whatever it may be, the limited grievance has been expressed by the learned



Crl.R.C.(MD).No.1274 of 2022

counsel for the petitioner, considering the fact that the petitioner is already paying monthly installments to the Bank, the condition imposed upon him by the Special Court under TNPID Act, 1997, Madurai dated 10.10.2022 is modified, in term, the petitioner is directed to deposit Rs.50,000/- (Rupees Fifty Thousand) and in respect of other conditions, no grievance has been expressed and those will stand unaltered.

8. In the result, this Criminal Revision Case is allowed. The condition imposed upon the petitioner in Cr.M.P.No.205 of 2022 dated 10.10.2022 is modified that the petitioner is directed to deposit Rs.50,000/- before the Special Court under TNPID Act, 1997, Madurai and handing over the original R.C.Book to the file of the concerned Court. The other condition imposed upon him in the above said order shall stand unaltered.

14.02.2023

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



Crl.R.C.(MD).No.1274 of 2022

To

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- 1.The Inspector of Police,
E.O.W., Tirunelveli.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C.(MD).No.1274 of 2022

G.ILANGO VAN,J.

Indu

Crl.R.C.(MD).No.1274 of 2022

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