



WEB COPY



Crl.R.C.(MD).No.204 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.204 of 2023

C.Murugesan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
(Crime No.208 of 2022)

.. Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the entire records pertaining to the order passed by the Special Court under the Mines and Minerals (D&R) Act, 1957, Thanjavur in Crl.M.P.No.1852 of 2022 vide order, dated 06.06.2022 and modify the condition imposed in condition Nos.1, 2 and 4.

For Petitioner : Mr.R.L.Dhilipan Pandian

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision Case has been filed against the order order passed by the Special Court under the Mines and Minerals (D&R) Act,



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1957, Thanjavur in Crl.M.P.No.1852 of 2022 vide order, dated 06.06.2022 and seeking modification of the condition imposed in condition Nos.1, 2 and 4.

2.The petitioner's application filed under Section 451 Cr.P.C. for return of vehicle has been partly allowed by the trial Court with a condition to deposit a sum of Rs.50,000/- to the credit of the Chief Educational Officer, Thanjavur. The learned counsel for the petitioner seeks modification of the above said condition on the ground that the petitioner was already deposited a non-refundable deposit of the like sum.

3.The learned Government Advocate (Crl. Side) submitted that considering the involvement of the vehicle in illegal activity and also considering the make of the vehicle such deposit has been ordered.

4.Considering the previous deposit that has been deposited by the petitioner while obtaining bail order, this Court is inclined to modify the condition No.1 alone. Accordingly, the order that has been passed by the learned Sessions Judge, Special Court under the Mines and Minerals (D&R) Act, 1957, Thanjavur, in Crl.M.P.No.1852 of 2022, dated 06.06.2022, is



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modified to the effect that the petitioner shall deposit a sum of 'Rs.25,000/- (*Rupees Twenty Five Thousand only*)' instead of 'Rs.50,000/- (*Rupees Fifty Thousand only*)'. The other conditions shall stand unchanged. If any violation is noticed the order passed in this petition shall stand cancelled automatically and the vehicle may be repossessed by the respondents.

7. With the above directions, this Criminal Revision Case is disposed of.

22.02.2023

Index : Yes / No
Internet : Yes / No
TM

To

1. The Session Judge, Special Court under the Mines and Minerals (D&R) Act, 1957, Thanjavur.
2. The Inspector of Police,
Thanjavur Taluk Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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G.ILANGOVA,N,J.

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