



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1176 of 2024

Arivalagi

...Petitioner

Vs.

State Rep: The Inspector of Police,
Araikaranchathiram Police Station,
Mayiladuthurai District.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to modify the condition imposed by the Learned District and Sessions judge, Mayiladuthurai, Mayiladuthurai District in Para (C) in Crl.M.P.No.2352/2023 dated 08.12.2023.

For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed challenging one of the condition that was imposed by the Court below while allowing the application filed by the petitioner for return of vehicle.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.



3.The petitioner was aggrieved by the following condition imposed by the Court below:

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(c).The petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Only) as fixed deposit in the name of the petitioner in any nationalized bank and to submit the fixed deposit receipt produce before the learned Judicial Magistrate, Sirkazhi and after disposal of the case to receive the FDR.

4.Taking into consideration the facts and circumstances of the case, there is no requirement to direct the petitioner to make a fixed deposit, since the petitioner is not an accused in this case and he is the owner of the vehicle. Hence, the above condition is hereby set aside. The other conditions imposed by the Court below shall be complied with.

5.This criminal original petition is allowed with the above direction.

24.01.2024

Index: Yes/No
Speaking order/Non-speaking Order
Neutral Citation: Yes/No
SSR

To

1.The District and Sessions judge,
Mayiladuthurai, Mayiladuthurai District.

2.The Inspector of Police,
Araikaranchathiram Police Station,
Mayiladuthurai District.

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



3. The Public Prosecutor,
High Court, Madras.

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N.ANAND VENKATESH, J

SSI

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24.01.2024