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CrI.O.P.No.1605 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.1605 of 2024

Jaya

... Petitioner

Vs.

State rep. by
The Inspector of Police
Anaikaranchathiram Police Station
Mayiladuthurai District.
(Cr.No.462/2023)

... Respondent

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to modify the condition No.(d) imposed on the petitioner by the learned District and Sessions Judge, Mayiladuthurai in CrI.MP.No.2333 of 2023 vide order dated 20.12.2023 that 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 that fixed deposit receipt before the learned Judicial Magistrate, Sirkazhi and receive the FDR after disposal of the case.

For Petitioner : Mr.M.Vijaya Ragavan
For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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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 seeking for return of vehicle in CrI.M.P.No.2333 of 2023 dated 20.12.2023.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor.

3.The vehicle belonging to the petitioner was seized by the respondent Police in the course of investigation in Crime No.462 of 2023. The petitioner filed an application for return of vehicle and this application was allowed by the Court below in CrI.M.P.No.2333 of 2023, by order dated 20.12.2023. While allowing the application, the Court below imposed the following condition:

“(d)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 receive the FDR after disposal of the case.”



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4.Taking into consideration the facts and circumstances of the case, the above condition is modified as follows:

(d)The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) before the Court below. The Court below shall not insist for any solvency certificate in this case.

5.The condition imposed by the Court below is modified to the extent indicated herein above. The other conditions imposed by the Court below shall stand as it is.

6.This Criminal Original Petition is disposed of accordingly.

31.01.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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N.ANAND VENKATESH,J.
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To

- 1.The District and Sessions Judge,
Mayiladuthurai.
- 2.The Judicial Magistrate,
Sirkazhi.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

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31.01.2024