



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

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THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

CrI.O.P.No.6308 of 2024

Prabakaran

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.
(Crime No.1259 of 2020)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to modify the condition i.e “(c) After assigning the case property number, 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, No.I, Mayiladuthurai and after disposal of the case to receive the FDR” imposed in CrI.M.P.No.2758 of 2023 passed by the learned District and Sessions Judge, Mayiladuthurai dated on 08.01.2024.

For Petitioner : Mr.U.Kathiravan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

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This petition has been filed aggrieved by one of the condition imposed by the Court below while allowing the petition filed by the petitioner seeking for return of vehicle u/s. 451 & 457 Cr.P.C.

2. Heard Mr.U.Kathiravan, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3.The respondent police, in the course of investigation in Crime No.1259 of 2020 seized the vehicle belonging to the petitioner. The petitioner filed an application seeking for return of the vehicle. The Court below allowed the application by imposing certain conditions. The petitioner is aggrieved by condition (c) imposed and for proper appreciation, the same is extracted hereunder:

"(c)After assigning the case property number, 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, No.I, Mayiladuthurai and after disposal of the case to receive the FDR"



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4. Taking into consideration the facts and circumstances of the case and on considering the grievance expressed by the petitioner, the condition (c) (extracted above) imposed by learned District and Sessions Judge, Mayiladuthurai, in CrI.M.P.No.2758 of 2023 dated 08.01.2024, is modified to the effect that the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand 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, No.I, Mayiladuthurai and after disposal of the case to receive the FDR. All other conditions imposed by the Court below shall remain unaltered.

Accordingly, this Criminal Original Petition is disposed of.

15.03.2024
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Index: Yes/No
Internet: Yes/No
ssr

To

- 1.The District and Sessions Judge, Mayiladuthurai.
- 2.The Judicial Magistrate, No.I, Mayiladuthurai.
- 3.The Inspector of Police,
Manalmedu Police Station,
Mayiladuthurai District.



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N.ANAND VENKATESH,J.

SSR

4.The Public Prosecutor,
High Court of Madras,
Chennai.

CrI.O.P.No.6308 of 2024

15.03.2024

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