



CrL.M.P.No.9147 of 2024
in
CRL.R.C.No.1241 of 2023

M.DHANDAPANI,J

This petition is filed to modify the condition imposed on the petitioner by this Court in CrL.R.C.No.1241 of 2023, dated 28.07.2023.

2. This Court vide order dated 28.07.2023, allowed the criminal revision petition filed by the petitioner seeking to return his vehicle subject to the condition to execute a bond for a sum of Rs.50,000/- before the learned Principal Special Judge, Special Court under EC & NDPS Act, Chennai.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that due to financial crisis, he is unable to comply the condition in clause (ii) of para 9 in order dated 28.07.2023. Hence, the present petition is filed by the petitioner seeking modification of the above condition imposed on the petitioner.

4. Admittedly, the petitioner and other accused were found in illegal possession of 25 numbers of Tydol – 100 mg tablets and they were remanded to judicial custody and the vehicles were seized from them, pursuant to which the petitioner filed a petition u/s.451 of Cr.P.C. seeking return of vehicle, which was



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petitioner filed a revision before this Court in Crl.R.C.No.1241 of 2023, and the same was allowed vide order dated 28.07.2023 by placing reliance on the decision rendered by the Hon'ble Supreme Court in the case of ***Sunderbhai Ambalal Desai and others Vs.State of Gujarat in Special Leave Petition (Crl).2745 of 2022*** dated ***01.10.2002*** on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- before the learned Principal Special Judge, Special Court under EC & NDPS Act, Chennai. As the vehicle owned by the petitioner was involved in illegal activities, this court has rightly directed the petitioner to execute a bond for a sum of Rs.50,000/-, which cannot be said to be perverse, arbitrary or unreasonable. Hence, the prayer sought for by the petitioner cannot be acceded to.

5. Accordingly, the present Criminal Miscellaneous Petition stands dismissed.

26.06.2024

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