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Crl.OP.No.19973 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.19973 of 2024

Ramalingam

... Petitioner

Vs.

State Rep by
The Inspector of Police
Veppanapalli PS,
Krishnagiri District
Cr.No.77/2024

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS Act, 2023 to modify the condition No.IV i.e., “The petitioner shall surrender the original Registration Certificate before this Court” imposed in the order dated 25.06.2024 in Cr.MP.No.3863 of 2024 on the file of the learned Judicial Magistrate No.II, Krishnagiri.

For Petitioner : Mr.K.Vasanthanayagan

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

WEB COPY The petitioner herein is the owner of Tata Mini Tipper Lorry bearing Regn.No.TN-24-BA-0856 is before this Court seeking modification of the condition imposed by the learned Judicial Magistrate-II, Krishnagiri for return of the vehicle pending disposal of the case in Cr.No.77 of 2024 for the offence under Section 379 IPC for transporting 1 unit of Norambu sand illegally.

2. The learned counsel appearing for the petitioner submits that one of the conditions imposed by the learned Judicial Magistrate is to produce the original R.C Book of the vehicle. However, the same has been hypothecated in the IndusInd Bank, the petitioner is unable to produce the original R.C.book. Therefore, the said condition has to be modified.

3. Considering the fact that the vehicle been hypothecated to the Bank and the original R.C.Book in the Bank which has charged over the vehicle. The condition to produce the original R.C.Book stands modified as to produce the photocopy of the R.C.Book along with original letter from the concerned Bank stating that they are in possession of the



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original RC. If such document is produced and on the compliance of the other conditions the Court below shall release the vehicle to the petitioner herein for temporary custody.

4. With the above modification, this Criminal Original Petition is allowed.

22.08.2024

Vv

To

1. The Judicial Magistrate No.II,
Krishnagiri
2. The Inspector of Police
Veppanapalli PS,
Krishnagiri District
3. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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