



CrI.R.C.(MD).No.400 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2024

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CrI.R.C.(MD) No.400 of 2024

Marimuthu

...Petitioner /Owner of the
Vehicle

Vs.

- 1.State through the
Inspector of Police,
Paramakudi Taluk, Police Station.,
Crime No.174 of 2023.
- 2.The Mines and Minerals Officer,
Mines and Minerals Department,
Collectorate Complex,
Ramanathapuram.
- 3.The Revenue Divisional Officer,
Revenue Divisional Office,
Paramakudi.
- 4.The Tahsildar,
Taluk Office,
Paramakudi.

... Respondents/Complainants



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PRAYER : Criminal Revision Petition filed under Section 397 and 401 of Criminal Procedure Code, to call for the records of the learned Principal Sessions Judge, Ramanathapuram in Cr.M.P.No.3741 of 2023, dated 01.09.2023 and modify the Condition No.5 that the petitioner shall produce Original R.C. Book of the Tractor bearing Registration No.TN 65 BX 6879 along with Trailer on the file of concerned Judicial Magistrate Court to modify as to produce Xerox/Online copy of the RC Book by allowing this Revision Petition.

For Petitioner : Mr.B.Ramamoorthi

For Respondents : Mr.M.Muthumanikkam
Government Advocate (CrI.Side)

ORDER

This Criminal Revision Case has been filed challenging the condition imposed in Cr.M.P.No.3741 of 2023, dated 01.09.2023, which was filed under Section 451 of Cr.P.C. seeking interim custody of the vehicle involved in Crime No.174 of 2023.

2. The learned Principal Sessions Judge, Ramanathapuram, after considering the materials produced before him, has passed an order to hand



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over the vehicle to the petitioner with some conditions. Now, challenging the condition No.V, that was imposed by the learned Principal Sessions Judge, Ramanathapuram, the present petition has been filed.

3. The learned counsel for the petitioner would submit that original RC book of the petitioner is with the finance company and hence he unable to produce the same before the concerned Court as per the condition imposed upon him, vide order, dated 01.09.2023. Hence, he seeks to modify the condition No.V of the order dated 01.09.2023.

4. The learned Government Advocate (CrI.Side) would submit that if the petitioner is allowed not to produce his original RC book before the concerned Court, there is a chance for further involvement of similar type of crime. Hence, he seeks dismissal of the petition.

5. This Court has considered the rival submissions made by both sides and also perused the records and impugned order.



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6. According to the learned counsel for the petitioner, the petitioner has obtained a loan by executing a hire purchase agreement with the Sundaram Finance Company, Paramakudi, for which, he has produced his original RC book of the said vehicle. Further, on instruction, the learned counsel for the petitioner would submit that the petitioner is ready to deposit a sum of Rs.40,000/- before the concerned Court.

7. The above said fact is not disputed by the learned Government Advocate (Crl.side).

8. In view of the above circumstances and the petitioner undertakes to deposit a sum of Rs.40,000/- to the credit of **the Environmental Committee**, this Court is inclined to modify the condition No.V, that was imposed by the learned Principal Sessions Judge, Ramanathapuram, vide order dated 01.09.2023 in the following terms and all the conditions that were imposed by the learned Principal Sessions Judge, Ramanathapuram, vide order dated 01.09.2023, are confirmed except condition No.V.



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(i) The petitioner is directed to submit a xerox copy of his RC book before the concerned Court.

(ii) the petitioner is further directed to deposit a sum of Rs.40,000/- (Rupees Forty Thousand only) as non-refundable for the vehicle to the **credit of the Environmental Committee (Account No:7633863037, Registrar (Judicial), Madurai Bench of Madras High Court, Madurai,)** within a period of one month from the date of receipt of copy of this order, failing which, the order passed by this Court shall stand vacated automatically.

9. With the above said modification, this Criminal Revision Case is allowed.

23.04.2024

NCC :Yes/No
Index :Yes/No
Internet :Yes/No

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To

- 1.The Principal Sessions Court,
Ramanathapuram.
- 2.The Inspector of Police,
Paramakudi Taluk, P.S.,
Crime No.174/2023.
- 3.The Mines and Minerals Officer,
Mines and Minerals Department,
Collectorate Complex,
Ramanathapuram.
- 4.The Revenue Divisional Officer,
Revenue Divisional Office,
Paramakudi.
- 5.The Tahsildar,
Taluk Office,
Paramakudi.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN, J.

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