



Crl.O.P.(MD) No.4602 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.4602 of 2024

1. Samiyappan,

2. Karunanidhi,

... Petitioners

Vs

The Inspector of Police,
District Crime Branch Police
Station(DCB),
Thanjavur District.
Cr.No.9/2022.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the Learned Judicial Magistrate Court No.2, Thanjavur to return the deposited money a sum of Rs.1,86,000/-(Rupees One Lakh Eighty Six Thousand) in Cr.No.9/2022 on the file of the Respondent Police Station deposited as per the condition imposed in Bail petition in Crl.M.P.No.2273 of 2022, dated 05.05.2022, on the file of the Sessions Judge, Thanjavur in view of the quash of the said FIR in Crl.O.P(MD)No.3296 of 2023, dated 14.12.2023.



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For Petitioners : Mr.Henri Tiphagne
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

This criminal original petition has been filed seeking to return the deposited amount of Rs.1,86,000/-(Rupees One Lakh Eighty Six Thousand) in Crime No.9 of 2022, on the file of the Respondent Police Station.

2.The petitioner herein is an accused in Crime No.09 of 2022. When he approached the Sessions Court for grant of bail, the same was granted with a condition that the petitioner should deposit a sum of Rs.1,86,000/- to the credit of the respondent police station. The petitioner has also deposited the said amount as directed by the Sessions Court. Pending the investigation, the petitioner has also filed a petition in Crl.O.P(MD)No. 3296 of 2023 seeking to quash the FIR in Crime No.9 of 2022 and the same was entertained by this Court and the criminal case which was registered in Crime No.9 of 2022 was quashed by order dated 14.12.2023 and therefore, by referring to the order passed in Crl.O.P(MD)No.3296 of 2023, the



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petitioner has filed this petition seeking to refund the deposited amount of Rs.1,86,000/-(Rupees One Lakh Eighty Six Thousand) in Crime No.9 of 2022, on the file of the Respondent Police Station.

3.The learned Government Advocate (Crl.Side) submits that the criminal case pending against the petitioner in Crime No.9 of 2022 was closed, on the basis of the order passed by this Court in Crl.O.P(MD)No. 3296 of 2023.

4.This Court considered the rival submission made.

5.Admittedly, the petitioner has deposited the said amount at the time of filing this petition and pending investigation in Crime No.9 of 2022, the criminal case was quashed by this Court and therefore, the petitioner is at liberty to file an application before the concerned Sessions Court along with the order passed in Crl.O.P(MD)No.3296 of 2023 for refund of the amount which has already been deposited by the petitioner herein in Crime No.9 of 2022 and the learned Sessions Court shall consider the application and pass suitable orders within a period of six weeks, from the date of receipt of a



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copy of such application.

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6. With the above direction, this criminal original petition is disposed of.

02.04.2024

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

LR

To
1. The Inspector of Police,
District Crime Branch Police
Station(DCB),
Thanjavur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

LR

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