



Crl.R.C.(MD)No.597 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.597 of 2024

Thamaraikannan

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Thathayanagar Pet Police Station,
Tiruchirapalli District.
(Crime No.43 of 2023)

... Respondent

PRAYER : Criminal Revision Petition filed under Section 397(1) r/w 401 Cr.P.C., to call for the records and set aside the order passed in Cr.M.P.No.6397 of 2023 dated 23.01.2024 on the file of the Principal District and Sessions Judge, Tiruchirappalli and modify the 11th condition imposed in Cr.M.P.No.1519 of 2023 dated 10.04.2023 directing the petitioner shall produces the vehicle Tractor with Tipper bearing Regd.No.TN 41 B 2275 before the Judicial Magistrate, Thuraiyur and as and when required by the Court.

For Petitioner : Mr.C.Suresh Kannan

For Respondent : Mr.K.Sanjai Gandhi
Government Advocate (Crl. Side)



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ORDER

The Criminal Revision Petition has been filed seeking orders to modify the condition No.11 imposed in Cr.M.P.No.1519 of 2023 dated 10.04.2023 directing the petitioner to produce the Tractor with Tipper bearing Registration No.TN-41-B-2275 before the Judicial Magistrate, Thuraiyur and as and when required by the Court.

2. It is seen from the records that on 08.03.2023, the petitioner's vehicle was seized by the respondent police for loading block stones from the land owned by one Kasthuri Muthirian and the vehicle was produced before the concerned Court, that the petitioner has then filed a petition before the learned Principal District and Sessions Judge, Tiruchirappalli seeking for return of property and the same was allowed vide order dated 10.04.2023 by imposing some conditions, which includes that the petitioner shall produce the vehicle before the Judicial Magistrate, Thuraiyur on 1st working day of every calendar month and that after complying the said condition for some months, the petitioner has filed a petition for relaxation and the same was dismissed vide order dated 23.01.2024. Challenging the said order, the present revision came to be filed.



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3. The learned counsel appearing for the petitioner would submit that since the petitioner is now working outside the city, he is not in a position to produce the vehicle before the Judicial Magistrate on every month and that the petitioner has been complying with the said condition from July 2023.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that in the present case, charge sheet has been filed and is not yet taken on file.

5. Considering the facts and circumstances and also the fact that charge sheet has been filed, this Court is inclined to modify the condition No.11.

6. In the result, the Criminal Revision Petition is allowed. The order of the learned Principal District and Sessions Judge, Tiruchirappalli, made in Cr.M.P.No.6397 of 2023, dated 23.01.2024 is hereby set aside and the order passed in Cr.M.P.No.1519 of 2023 dated 10.04.2023 is modified in respect of the condition No.11 alone and it is



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modified to the effect that the petitioner shall produce the petition mentioned vehicle before the Judicial Magistrate, Thuraiyur once in an alternative month i.e., on the first working day of alternative month commencing from September 2024 until further orders. In respect of other conditions, the order of the learned Principal District and Sessions Judge, Tiruchirappalli, shall remain unaltered.

06.08.2024

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

To

- 1.The Principal District and Sessions Judge,
Tiruchirappalli.
- 2.The Inspector of Police,
Thathayanagar Pet Police Station,
Tiruchirappalli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
CrI.R.C.(MD)No.597 of 2024

Dated: 06.08.2024