



Crl.M.P.No.2482 of 2025
in Crl.RC.No.318 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-03-2025

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL MP No. 2482 of 2025

AND

CRL RC NO. 318 OF 2024

Annadurai

S/o.Thirumalaisamy, 28/2 Mettu

Thottam, Rettaravalasu Road,

Meenachipuram Kollanchivadi

Erudukkattu Garden Dharapuram

Taluk, Tiruppur District .

Petitioner(s)/Accused

Vs

State Rep.By,

The Inspector Of Police

Dharapuram Police Station

Tiruppur District. Crime No.494/2023

Respondent(s)

Prayer: Criminal Miscellaneous Petition file under Section 528 of BNSS, praying to modify the condition as that the petitioner shall execute a bond for a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) instead of depositing a sum of Rs.1,50,000/- before the jurisdictional Tahsildar as a non-refundable deposit in Crl.R.C.No.318 of 2024 dated 21.03.2024.



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For Petitioner(s): Mr.M.Rajasekar
for Mr.P.Kalimuthu
For Respondent(s): Mr.S.Udaya Kumar
Government Advocate (Crl. Side)

ORDER

The petitioner/owner of the Tipper Lorry bearing Registration No. TN-41-AD-9202 had filed a petition before this Court in Crl.R.C.No.318 of 2024 seeking return of his vehicle. This Court, by the order dated 21.03.2024 directed the respondent police to return the Lorry to the petitioner with certain conditions. One of the conditions is that the petitioner to deposit a sum of Rs.1,50,000/- as non-refundable deposit.

2.The contention of the petitioner is that the petitioner purchased the vehicle with great difficulty and he has got commitments to repay the borrowings. Further the petitioner's livelihood depends on renting out of this lorry. The lorry was caught while transporting stones. The petitioner was not involved in transportation of illegal quarrying. The petitioner's vehicle is an old one, which is still kept in the open yard. The petitioner was granted the relief of return of his vehicle as early as on 21.03.2024. It is almost a year, the petitioner is unable to get back his vehicle. Since the petitioner is unable to



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mobilise a sum of Rs.1,50,000/- and the condition is onerous one, he seeks modification of the condition.

3.Considering the submissions made and on perusal of the material, it is seen that the driver of the vehicle bearing Reg.No.TN-41-AD-9202 was found to be transporting 2 units of rough stones on 07.10.2023. Whether it is any mineral stone or commonly available stone there is no reference in the F.I.R. Due to the conditional order, till date, the petitioner is unable to get back his vehicle and the vehicle is kept in the open yard exposing to vagaries of weather from 07.10.2023.

4.In view of the same, this Court set asides the condition No.5(i) of the order dated 21.03.2024 alone. The other conditions remain unaltered.

5.Accordingly, this Criminal Miscellaneous Petition is ordered.

06.03.2025

rsi

Note: Issue order copy on 10.03.2025.



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M. NIRMAL KUMAR, J.

rsi

To

1.The Inspector Of Police
Dharapuram Police Station
Tiruppur District.

2.The Judicial Magistrate,
Dharapuram, Tiruppur District.

3.The Public Prosecutor
High Court, Madras.

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