



Crl.O.P.No.5705 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.5705 of 2025

Arulkumar

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.
(Cr. No.81 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the order passed in Crl.M.P.No.2744 of 2024, vide order dated 16.12.2024, by the learned District and Sessions Judge, Nagapattinam by modifying conditions No.5 to imposed Rs.5,00,000/- (Rupees five lakhs only) to be deposited in the name of the petitioner in any nationalized bank and to submit that Fixed Deposit Receipt to that Court and to return the RC Book after renewal permit formalities completed will be returned to that Court and No.6 petitioner is directed to produce the original RC Book within a period of one month.

For Petitioner : Mr.S.K.Syed Eliyas
For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)



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ORDER

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This petition has been filed to modify the conditions imposed by the learned District and Sessions Judge, Nagapattinam, in Crl.M.P.No.2744 of 2024, dated 16.12.2024.

2. The petitioner is the owner of JCB vehicle bearing registration No.TN51AR0370, which involved in Crime No.81 of 2022 registered for the offence under Section 379 of IPC r/w. 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957. To return the original RC book of the said vehicle, the petitioner filed petition in Crl.M.P.No.2744 of 2024. While allowing the petition, the learned District and Sessions Judge, Nagapattinam, by an order dated 16.12.2024, imposed conditions that the petitioner shall deposit a sum of Rs.5,00,000/- (Rupees five lakhs only) in his name in any nationalized bank and to submit that Fixed Deposit Receipt to the Court below and to return the RC Book after renewal permit formalities completed and also directed the petitioner to produce the original RC Book within a period of one month. To modify the said conditions, the present petition has been filed.



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3. Considering the above facts and circumstances of the case, this Court is inclined to modify the condition that instead of deposit, the petitioner shall execute a bond for a sum of Rs.5,00,000/- (Rupees five lakhs only) before the concerned Court, within a period of two weeks from the date of receipt of a copy of this Order. The other conditions imposed by the Court below shall remain unchanged.

4. Accordingly, the Criminal Original Petition is ordered.

03.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rts

To

1. The District and Sessions Judge,
Nagapattinam

2. The Inspector of Police,
Thirukkannapuram Police Station,
Nagapattinam District.

3. The Public Prosecutor,
Madras High Court, Chennai.

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G.K.ILANTHIRAIYAN, J.

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