



Crl.O.P(MD).No.22872 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2025

CORAM:

THE HONOURABLE **MR.JUSTICE M.NIRMAL KUMAR**

Crl.O.P(MD).No.22872 of 2024

Praveen

...Petitioner

Vs

The Inspector of Police
Srirangam Police Station
Trichy City

...Respondent

PRAYER: Criminal Original Petition filed under Section 528 of BNSS to modify the order in so far as the condition No.8(1) in Crl.R.C. No.50 of 2024 on the file of the learned Principal District and Sessions Judge, Trichy District dated 21.11.2024.

For Petitioner : Mr.S.Sathya Chidambaaram

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

ORDER

This Criminal Original Petition has been filed to modify the condition No.8(1) imposed by the learned Principal District and Sessions Judge, Trichy District in Crl.R.C.No.50 of 2024 dated 21.11.2024.



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2. The petitioner is the owner of the Bolero Pick up vehicle bearing Reg. No. TN 20 BA 6949 involved in Crime No.756 of 2024 for the offences under Sections 303(2) of BNS and Section 21(1) of Mines and Minerals (Development and Regulation) Act, 1957 has filed a petition before the learned District Munsif cum Judicial Magistrate, Srirangam in Crl.M.P. No. 2480 of 2024 and the same was dismissed. Against which the petitioner had preferred a revision before the learned Principal District and Sessions Judge, Tiruchirapalli in Crl.R.C.No.50 of 2024 and the learned Sessions Judge had allowed the revision with certain conditions and one of the condition is that the petitioner to deposit a sum of Rs. 75,000/- to the case in Cr.No.756 of 2024.

3. The learned counsel appearing for the petitioner submitted that depositing such huge amount would cause great prejudice to him. He would further submit that the petitioner has admitted the offence. Further in similar circumstances this Court has earlier passed orders in Crl.R.C.(MD) No.1145 of 2024 directing the petitioner therein to deposit a sum of the Rs.20,000/- (Rupees Twenty Thousand only) as nonrefundable deposit for the said vehicle to the credit of the District Mineral Foundation Trust, Tiruchirapalli District and with other conditions. He would further submit that the same condition may be imposed by this Court.



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4. The learned Additional Public Prosecutor submitted that imposing costs by the Sessions Court is only to ensure that the vehicle is not alienated and the petitioner to co-operate with the investigation and participate in the trial.

5. The learned counsel appearing for the petitioner submitted that the petitioner is a permanent resident of Trichy District and he is ready to abide by any conditions that may be imposed by this Court.

6. In the result, the condition No.8(1) to (11) imposed by the learned Principal District and Sessions Judge, Trichy District in Crl.R.C.No.50 of 2024 dated 21.11.2024 is modified and the Bolero Pick up vehicle bearing Reg. No. TN 20 BA 6949 is ordered to be returned to the petitioner for interim custody subject to the confiscation proceedings to be taken by the concern Department or by the Court on the following conditions :

(i) the petitioner is directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) as nonrefundable deposit for the said vehicle to the credit of the District Mineral Foundation Trust, Tiruchirapalli District;

(ii) On such deposit, the petitioner shall execute a bond for a sum of Rs.4,00,000/- (Rupees Four Lakhs only), with two sureties for a likesum to



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the satisfaction of the learned District Munsif cum Judicial Magistrate,
Srirangam;

(iii) the vehicle shall be photographed in different angle and the engine and chassis number shall also be photographed in the presence of the Head Clerk of the learned District Munsif cum Judicial Magistrate, Srirangam at the cost of the petitioner and the petitioner's signature to be obtained in the backside of the photographs, and the said photographs and CD shall be kept in the case bundle for the purpose of marking them as material objects during trial;

(iv) the petitioner shall deposit the photostat Registration Certificate of the vehicle compared with the original before the learned District Munsif cum Judicial Magistrate, Srirangam

(v) the petitioner shall not alienate and shall not alternate the physical features of the vehicle till the disposal of the case;

(vi) the petitioner shall produce the vehicle before the Court and before the respondent police as and when required;

7. This petition is order accordingly.

02.01.2025

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

<https://www.mhc.tn.gov.in/judis>



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1. The Principal District and Sessions Judge, Trichy District
2. The District Munsif cum Judicial Magistrate, Srirangam
3. The Inspector of Police
Srirangam Police Station
Trichy City
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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M.NIRMAL KUMAR,J.

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