



Crl.MP.(MD)No.3042 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.02.2026**

CORAM :

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.M.P.(MD) No.3042 of 2026
in
CRL.R.C.(MD)No.735 of 2021

Alex

... Petitioner

vs.

1. The District Collector
Dindigul District
Dindigul.

2. The Tahsildar
Nilakottai Taluk
Dindigul District.

3. The Revenue Divisional Officer
Nilakottai
Dindigul District.

4. State Of Tamilnadu Rep
By Inspector Of Police,
Virusvedu Police Station,
Dindigul District.
(Crime No. 792 of 2020)

5. The Assistant Director
Department of Geology and Mining,
Dindigul District.

... Respondents



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PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, to modify the condition of extending surety of Rs.75,000/- instead of depositing a sum of Rs.75,000/- to the credit of Crime No. 792/2020 on the file of the Principal Sessions Judge, Dindigul imposed on the petitioner at Para 5(i) in Crl.RC(MD).No.735 of 2021 dated 10.11.2021 by this Court.

For Petitioner : Mr.V.P.Rajan

For Respondents : Mr.Vaikkam Karunanithi
Government Advocate (crl.side)

ORDER

This Criminal Miscellaneous Petition has been filed to modify the condition No.5(i) imposed upon the petitioner in Crl.RC.(MD).No.735 of 2021 dated 10.11.2021.

2. Heard Mr.V.P.Rajan, learned counsel for petitioner and Mr.Vaikkam Karunanithi, learned Government Advocate (Crl.side) for respondents.



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3.Learned Counsel for petitioner submits that petitioner is the owner of vehicle viz., John Deere India Pvt., Ltd., Tractor (open), bearing registration number TN 57 BX 3736. The said vehicle was seized by the respondent police in connection with Crime No.792 of 2020 for the alleged offence of illegal transportation of river sand. This Court, vide order dated 10.11.2021 in Crl.RC(MD).No.735 of 2021, directed to release the said vehicle subject to conditions. The relevant portion of the condition No.5(i) is extracted hereunder:

"(i) The petitioner shall deposit a sum of Rs.75,000/- (Rupees Seventy Five Thousand only), to the credit of Crime No.792 of 2020 on the file of the learned Principal Sessions Judge, Dindigul within a period of two weeks from the date of receipt of a copy of this order."

4. Learned Counsel for petitioner further submits that petitioner is a farmer relying on the tractor-trailer for agricultural work and farming operations and his family's entire livelihood depends solely on agricultural income. It is submitted that Condition No.5(i) of the order passed in Crl.R.C.(MD).No.735 of 2021, dated 10.11.2021, is onerous



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and the petitioner is unable to arrange such huge amount. Therefore, the petitioner seeks indulgence of this Court to modify the said condition and prays that the present modification petition be allowed.

5. Mr.Vaikkam Karunanithi, learned Government Advocate (crl.side) appearing for respondents, has stated that he has no objection in allowing the present petition.

6.Taking into consideration of the submissions made by learned Counsel for petitioner, condition No.5(i) imposed by this Court in Crl.R.C.(MD)No.735 of 2021, dated 10.11.2021, is modified as follows:-

“(i) The petitioner shall deposit a sum of Rs.40,000/- (Rupees Forty Thousand only), to the credit of Crime No.792 of 2020 on the file of the learned Principal Sessions Judge, Dindigul within a period of two weeks from the date of receipt of a copy of this order.”



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7. It is made clear that other conditions imposed by this Court vide order dated 10.11.2021 shall remain unaltered.

8. With the aforesaid modification, this Criminal Miscellaneous Petition stands ordered.

11.02.2026

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MOHAMMED SHAFFIQ, J.

gvn

To:

1. The Principal Sessions Judge,
Dindigul.
2. The District Collector
Dindigul District, Dindigul.
3. The Tahsildar
Nilakottai Taluk, Dindigul District.
4. The Revenue Divisional Officer
Nilakottai, Dindigul District.
4. The Assistant Director
Department of Geology and Mining,
Dindigul District.
5. The Inspector of Police,
Viruvedu Police Station, Dindigul District.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.M.P.(MD) No.3042 of 2026
in
CRL.R.C.(MD)No.735 of 2021

11.02.2026