



Crl.O.P.No.16769 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.16769 of 2025

S.Prabhakaran

... Petitioner

Vs.

The State Represented by
The Sub Inspector of Police
F-2, Egmore Police Station
Chennia - 600 008
(Crime No.170 of 2025)

... Respondent

Prayer: Criminal Original Petition filed under Section 528 of BNSS, 2023 to set aside the conditional order dated 30.04.2025 made in Crl.M.P.No.5199 of 2025 in Crime No.170 of 2025 on the file of the XIV Metropolitan Magistrate, Egmore, Chennai - 600 008.

For Petitioner : Mr.A.V.Arun

For Respondent : Dr.C.E.Pratap

Government Advocate (Crl. Side)



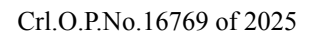
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ORDER

This Criminal Original Petition has been filed by the petitioner to set aside the conditional order dated 30.04.2025 made in Crl.M.P.No.5199 of 2025 in Crime No.170 of 2025 on the file of the XIV Metropolitan Magistrate, Egmore, Chennai - 600 008.

2. The case of the petitioner is that based on the complaint lodged by one Ravikumar alleging that the petitioner who is one of the Directors of M/s.Reefer Care Services Pvt. Ltd., after hiring the services of the defacto complainant, who is the Proprietor of S.R. Container (All Wok Repairing Service) evaded payment, the respondent police registered a case in Crime No.170 of 2025 against the petitioner and his company for the offence under Sections 420 IPC on 05.03.2025. Thereafter, while apprehending the petitioner for producing him before the Court, the respondent police seized the vehicle of the petitioner viz., Gyundai Xcent Motor Car bearing Registration No.TN07



2025 under Sections 497 and 503 of B.N.S.S. before the XIV Metropolitan Magistrate, Egmore, Chennai - 600 008 seeking interim custody of the vehicle.

Though the said petition was allowed, among the other conditions, the learned Magistrate imposed a condition directing the petitioner to execute own bond for a sum of Rs.3 lakhs and surety for the same amount and to deposit the original document in evidence of that amount in the Court till the conclusion of the case, as follows:

5. மனுதாரர்/எதிர் ரூ.3,00,000/. த்திற்கு

சொந்தபிணைப்பத்திரமும், அதே தொகைக்கு ஒரு ஜாமீன்தாரர்

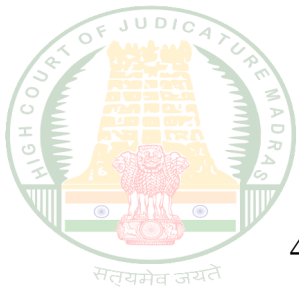
பிணைப்பத்திரம் எழுதி கொடுப்பதோடு அந்த தொகைக்கு

ஆதாரமாக காட்டப்படும் அசல் ஆவணத்தை இந்த வழக்கு முடியும்

வரையில் நீதிமன்றத்தில் வைப்பீடு செய்ய வேண்டும் என்று உத்தரவு

பிறப்பிக்கப்படுகிறது.

3. Aggrieved by the said condition, the petitioner has filed the present petition.



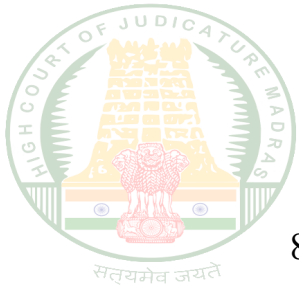
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4. The main grievance of the petitioner is that the said vehicle is no at all involved in this case and therefore, imposition such a condition is arbitrary.

5. The learned Government Advocate (CrI. Side) appearing for the respondent police submitted that the investigation has been completed and the charge sheet has also been filed through e-filing.

6. Heard both sides and perused the materials available on record.

7. A perusal of the materials shows that during investigation, the respondent police seized the vehicle of the petitioner and produced before the Court. While granting interim custody of the vehicle, the Magistrate has imposed one of the conditions directing the petitioner to execute own bond for a sum of Rs.3 lakhs and surety for the same amount and to deposit the original document in evidence of that amount in the Court till the conclusion of the case. But, it is seen that the said vehicle is not involved in this offence. Further, now the investigation has been completed and the charge sheet has also been filed.



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8. Therefore, the condition No.5 alone, imposed by the Magistrate in

CrI.M.P.No.5199 of 2025 by order dated 30.04.2025 is set aside. The rest of the conditions shall remain unaltered.

9. With the above modification, this Criminal Original Petition is disposed of.

12.06.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The XIV Metropolitan Magistrate,
Egmore, Chennai - 600 008.

2. The Sub Inspector of Police
F-2, Egmore Police Station
Chennai - 600 008

3. The Public Prosecutor
High Court of Madras, Chennai

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P.VELMURUGAN. J.

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