



CRL.O.P.No.16863 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-07-2026

CORAM:

**THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY**

CRL.O.P.No.16863 of 2026

Charles Arock  
S/o. Susai Joesph Johnson,  
13-118, College Road,  
Kolluru, Kollur, Guntur,  
Andhra Pradesh.  
(Authorized Representative  
for Sri Chaitanya Techno School)

..Petitioner

*Vs.*

The State Rep. by  
The Inspector of Police,  
T1 Tambaram Traffic Investigation Wing,  
Tambaram City.

..Respondent

**Prayer:** Criminal Original Petition filed under Section 528 of BNSS 2023, praying to modify condition in Paragraph 7(a) of the order dated 02.06.2026 passed in Crl.M.P.No.1175/2026 on the file of the learned Judicial Magistrate No.I, Tambaram.

For Petitioner : Mr.M.Santhanaraman

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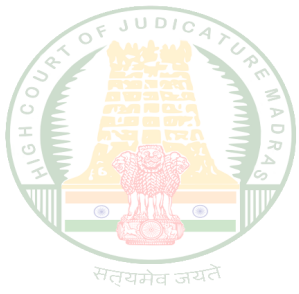
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For Respondent : Mr.R.Rajasekaran,  
Counsel for Government of Tamil Nadu (Crl.Side)

### **ORDER**

The Criminal Original Petition has been filed seeking to modify the condition imposed in paragraph 7(a) of the order dated 02.06.2026, passed in Crl.M.P.No.1175 of 2026 by the learned Judicial Magistrate No.I, Tambaram.

2. The learned counsel for the petitioner submitted that when the vehicle was seized and produced before the learned Magistrate, the petitioner filed an application for the return of interim custody of the vehicle pending trial. While allowing the application, the Trial Court imposed a condition requiring the petitioner to execute a bond for a sum of Rs.5,00,000/ along with surety for a like sum. He further submitted that the Trial Court is also insisting on a solvency certificate for the said sum from both the petitioner and the surety.



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3. The learned counsel for Government of Tamil Nadu (Criminal Side) appearing for the respondent submitted that since the presence of the vehicle is required for the trial, the Trial Court imposed the said condition despite all other documents being in order.

4. In this regard, the learned counsel for the petitioner relied upon the order of this Court in *Muralikrishnan Vs. State rep. by the Inspector of Police (Crl.O.P.No.21235 of 2024, decided on 02.09.2024)*.

5. Heard the learned counsel for the petitioner and the learned counsel for Government of Tamil Nadu appearing for the respondent.

6. On perusal of the records, it is seen that on 13.04.2026, information was received that the petitioner's vehicle was driven in a rash and negligent manner, hitting a two-wheeler rider and causing instant death. Consequently, a case in Crime No.0218 of 2026 was registered under Sections 281 and 106(1) of BNS and the same is currently under investigation.



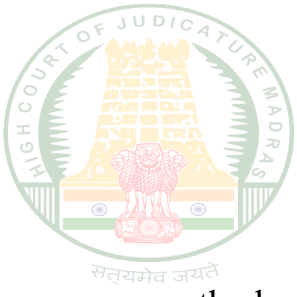
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7. This Court, in the aforementioned order ***Muralikrishnan (supra)***, observed that for the return of property by way of interim custody, it is sufficient if the bond is executed in Form-50 and no solvency certificate is required.

8. In view of the settled legal position and since the case of the petitioner is identical, the condition imposed in paragraph 7(a) of the impugned order dated 02.06.2026 deserves modification. This Court is also of the view that the bond amount of Rs.5,00,000/- is excessive and can be reduced to Rs.2,00,000/-.

9. Accordingly, this Criminal Original Petition is allowed. The condition imposed in paragraph 7(a) of the order dated 02.06.2026 passed in CrI.M.P.No.1175 of 2026 by the learned Judicial Magistrate No.I, Tambaram, is modified to the effect that ***the petitioner shall execute a bond for a sum of Rs.2,00,000/- (Rupees Two Lakhs Only), with one surety for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Tambaram.*** Further, the petitioner is permitted to execute



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the bond in Form-50 and it is made clear that it is not necessary for either the petitioner or the surety to produce a solvency certificate. All other conditions imposed by the Trial Court shall remain unaltered.

**02-07-2026**

Neutral Citation: Yes

***Sni***

To

- 1.The Judicial Magistrate No.I,  
Tambaram.
- 2.The Inspector of Police,  
T1 Tambaram Traffic Investigation Wing,  
Tambaram City.
- 3.The Public Prosecutor,  
High Court of Madras.



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**D.BHARATHA CHAKRAVARTHY,J.**

*Sni*

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