



CRL RC(MD). No.1194 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 20/07/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL RC(MD). No.1194 of 2026

Thangasamy

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police,
Avaniyapuram Police Station,
Madurai District.
Crime No. 204 of 2026.

... Respondent

PRAYER :-

To call for the records relating to impugned order with regard to the condition No.1 in Crl.M.P.No. 3251 of 2026 dated 23.06.2026 in Crime No. 204 of 2026 on the file of the Judicial Magistrate-VI, Madurai and set aside the same and consequently modify the same directing the petitioner / defacto complainant to execute a personal bond without a third party surety and also without solvency certificate.

For Petitioner : Mr. R.Venkateswaran,
Advocate.

For Respondent : Mr.D.Rajaboopathy
Government Advocate (Crl.Side)



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ORDER

This Criminal Revision Case is filed seeking to call for the records relating to impugned order with regard to the condition No.1 in Crl.M.P.No. 3251 of 2026 dated 23.06.2026 in Crime No. 204 of 2026 on the file of the Judicial Magistrate-VI, Madurai and set aside the same and consequently modify the same directing the petitioner / defacto complainant to execute a personal bond without a third party surety and also without solvency certificate.

2. The learned counsel for the petitioner pointed out that the petitioner had filed an application under Section 497 and 503 of BNSS seeking return of vehicle namely Citroen car bearing registration No.TN 59 CQ 9889, before the learned Judicial Magistrate No.VI, Madurai, in Crl.M.P.No.3251 of 2026. The same was allowed by order dated 23.06.2026 with condition, directing the petitioner to execute a bond for a sum of Rs.5 Lakhs by himself along with one surety for the likesum. The learned counsel appearing for the petitioner submitted that such a condition is very onerous since the value of the Car is less than that said



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amount and the trial Court ought not to have insisted for execution of bond of Rs.5,00,000 along with one surety for the likesum.

3. The learned Government Advocate submitted that the bond / solvency certificate will arise in the case of bail and not in the case of return of property.

4. Heard either sides and carefully perused the materials available on record.

5. On perusal of the relevant provision and on perusing the impugned order passed by the Court below under Section 497 of BNSS, there is no mandate in the said provision to direct the petitioner to furnish surety to an extent of Rs,5,00,000/- or to furnish solvency certificate. Mere execution of bond as per the format found in Form-50 would suffice. Hence the first condition of the order made in Crl.M.P.No. 3251 of 2026 dated 23.06.2026 passed by the learned Judicial Magistrate-VI, Madurai, is modified to the effect that the petitioner is directed to produce his personal bond for a sum of Rs.5 Lakhs without the solvency certificate.



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20.07.2026

NCC : yes / no
Index : yes / no

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To

1. The Inspector of Police, Avaniyapuram Police Station,
Madurai District. Crime No. 204 of 2026.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI, J

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ORDER
IN
CRL RC(MD) No.1194 of 2026

Date : 20/07/2026