

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.20527 of 2019

M/s.Energyspin (P) Ltd.,
Rep. by its Authorized Signatory,
Mr.Sabari Giri Nathan,
Having office at
No.482-A/1, Sankarankovil Road,
Rajapalayam 626 117. Petitioner

Vs.

State: Rep. By,
The Inspector of Police,
Central Crime Branch,
Team XII, Bank Fraud Prevention Wing,
Chennai. Respondent

Prayer: Criminal Original Petition is filed under Section 482 of
Criminal Procedure Code, to modify the condition passed in
Crl.M.P.No.3390 of 2019 on the file of CCB & CBCID Metropolitan
Magistrate, Egmore, Chennai.

For Petitioner : Mr.R.Muthukumar
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

सत्यमेव जयते
O R D E R

This petition has been filed to modify the condition
passed in Crl.M.P.No.3390 of 2019 on the file of CCB & CBCID
Metropolitan Magistrate, Egmore, Chennai.

2.The petitioner is the owner of the Car. This Car was
involved in an offence and the respondent police, pursuant to
the FIR registered in Crime No.58 of 2019, have proceeded to
seize the Car belonging to the petitioner. The Car was also
produced before the Court below. The petitioner is not an
accused in this case.

3.The petitioner filed a petition seeking for return of vehicle. The petition was allowed by the Court below by an order dated 03.07.2019. While allowing the petition, the Court below imposed certain conditions. The petitioner is aggrieved by the first condition imposed by the Court below wherein the petitioner has been directed to execute a bond for the value of the Car along with sureties for a likesum.

4.The learned Counsel for the petitioner submitted that the condition imposed by the Court below is onerous and such a condition is not required in view of the fact that the petitioner is not even an accused in the case.

5.Heard the learned Additional Public Prosecutor appearing on behalf of the respondent police.

6.Taking into consideration the facts and circumstances of the case, this Court is of the considered view that the first condition imposed by the Court below is onerous. Accordingly the said condition is modified to the extent that the petitioner shall execute a bond for a sum of Rs.10,000/- with one surety for a likesum. The other conditions imposed by the Court below shall stand as it is.

7.This Criminal Original Petition is disposed of accordingly.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

To

1.The Inspector of Police,
Central Crime Branch, सतयमेव जयते
Team XII, Bank Fraud Prevention Wing,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

3. The CCB & CBCID Metropolitan Magistrate
Egmore, Chennai.
+1 CC to Mr.R.Muthukumar, Advocate sr 66436.

Cr1.O.P.No.20527 of 2019

RGN(CO)
SP(05/09/2019)