

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.06.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.7431 of 2021

P.Jothivenkatachalam .. Petitioner/Defato Complainant

Vs.

State rep. by
Inspector of Police,
K-8, Arumbakkam Police Station,
Arumbakkam,
Chennai - 106.
(Crime No.38 of 2021) .. Respondent/Complainant

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to modify the condition imposed in Crl.M.P.No.8198 of 2021 on 25.03.2021 in Cr.No.38 of 2021 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai - 8 in so far as the condition No.1 namely "(1) The petitioner/owner of the property shall execute a bond for a sum of Rs.20,00,000/-".

For Petitioner : Mr.C.Sivanesan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl. Side)

O R D E R

The petitioner has filed this petition seeking to modify the condition imposed in Crl.M.P.No.8198 of 2021 on 25.03.2021 in Cr.No.38 of 2021 on the file of the learned V Metropolitan Magistrate, Egmore, Chennai in so far as the condition No.1 namely "(1) The petitioner/owner of the property shall execute a bond for a sum of Rs.20,00,000/-".

2.The case of the petitioner is that he purchased a car bearing Registration No.TN 10 AZ 7277 Jaguar XJ, bearing Chasis No.SAJAC2651DNV57701, Engine No.0759140306DT from SRM Institute of Science and Technology. Thereafter one Ashok approached the petitioner to purchase the said car and they also arrived at the sale consideration. The said Ashok wanted to test drive the car and hence, the petitioner handed over the car to the said Ashok, however, the said Ashok neither returned the car nor make the

payment. Hence, the petitioner lodged the complaint before the respondent police. Thereafter, the petitioner filed Crl.M.P.No.8198 of 2021 before the learned V Metropolitan Magistrate, Egmore, Chennai, for return of the property and aggrieved by the condition imposed on the petitioner in the order dated 25.03.2021 made in the said petition, the petitioner has filed this petition.

3.The learned counsel appearing for the petitioner would submit that the learned V Metropolitan Magistrate, Egmore, Chennai, while allowing the petition in Crl.M.P.No.8198 of 2021 on 25.03.2021, has directed the petitioner to execute a bond for a sum of Rs.20,00,000/-, which is onerous and prayed this Court to modify the said condition.

4.Heard the submissions made by the learned Government Advocate (Crl. Side).

5.Considering the submissions made by the learned counsel appearing for the petitioner, the condition imposed on the petitioner by the learned V Metropolitan Magistrate, Egmore, Chennai in the order dated 25.03.2021 passed in Crl.M.P.No.8198 of 2021 that

'The petitioner/owner of the property shall execute a bond for a sum of Rs.20,00,000/-.'

is hereby modified as,

'The petitioner/owner of the property shall deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs Only) to the credit of the Crime No.38 of 2021 before the learned V Metropolitan Magistrate, Egmore, Chennai.'

The other conditions remain un-altered.

6.With the above modification, this criminal original petition is disposed of.

-s/d-

Assistant Registrar(CS-IX)

True Copy

Sub-Assistant Registrar

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To

1.The V Metropolitan Magistrate, Egmore, Chennai-8.

2. -do- Thro' The Chief Metropolitan Magistrate,
Egmore, Chennai-8.

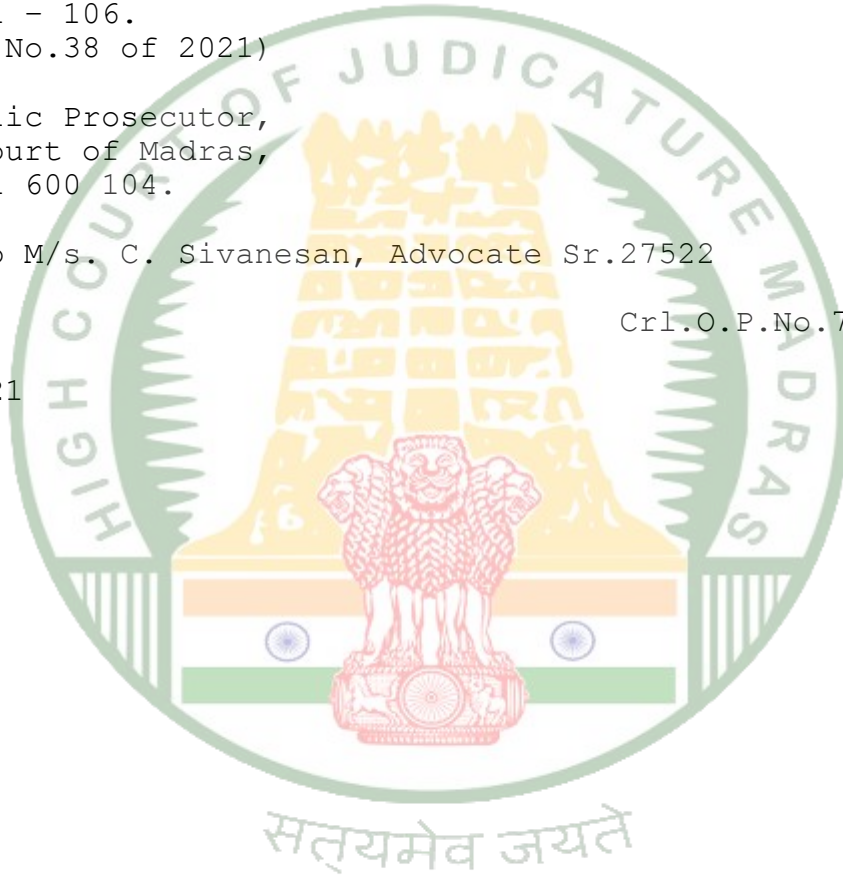
3. The Inspector of Police,
K-8, Arumbakkam Police Station,
Arumbakkam,
Chennai - 106.
(Crime No.38 of 2021)

4.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.

+ 2 ccs to M/s. C. Sivanesan, Advocate Sr.27522

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EU 7.6.2021



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