



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.5857 of 2022

Ganesh Kumar

...Petitioner/Petitioner

Vs.

The State by Inspector of Police
Kachirapalayam Police Station,
Crime No.695 of 2021,
Kallakurichi.

...Respondent/Complainant

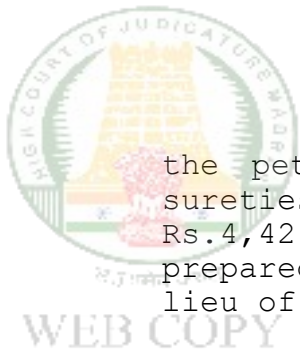
PRAYER: The Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, praying to modify the condition imposed in the order dated 16.02.2022 made in Crl.M.P.No.261 of 2022 on the file of the Judicial Magistrate No.1, Kallakurichi.

For Petitioner : M/s.R.Madhubala
For Respondent : Mr.V.Meghanathan
Govt.Advocate (Crl. Side)

O R D E R

The Criminal Original Petition has been filed to modify the condition imposed in the order dated 16.02.2022 made in Crl.M.P.No.261 of 2022 on the file of the Judicial Magistrate No.1, Kallakurichi.

2. Learned counsel for the petitioner would submit that the petitioner is the owner of Maruthi S Presso (Grey Color) Car bearing Registration No.TN 58 AS 6573 and VIVO mobile phone. He would further submit that the respondent had registered a case in Crime No.695 of 2021 against the petitioner for offences under Sections 457, 394 and 306 of IPC. He would also submit that the car and mobile phone of the petitioner were seized by the respondent and the petitioner, after coming out on bail, had filed an application for return of property and the learned Judicial Magistrate, while ordering for return of vehicle and mobile phone, had imposed certain conditions that the petitioner should execute a bond for Rs.5,10,000/- with two sureties and also deposit certified copy of the RC Book before the Court concerned. He would further submit that the condition imposed on



the petitioner to execute a bond for Rs.5,10,000/- with two sureties is onerous since the value of the car itself is Rs.4,42,948/-. He would also submit that the petitioner is prepared to produce the original RC book before the Court in lieu of the modification.

3.Learned Government Advocate(Crl.side) would submit that the petitioner is an accused and thereby, the Court had imposed such a condition.

4. Having heard the learned counsels on both sides and perused the materials available on record, this Court is of the opinion that the condition directing the petitioner to execute a bond for Rs.5,10,000/- with two sureties is onerous. Hence, the said condition is modified and the petitioner is directed to execute a bond for Rs.25,000/- with two sureties. In lieu of the modification, the petitioner is directed to produce the original RC book before the Court concerned.

5. With this observation, this Criminal Original Petition is disposed of.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

nr/nti
To

1. The Judicial Magistrate No.1, Kallakurichi.
2. The Inspector of Police
Kachirapalayam Police Station,
Kallakurichi.
3. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.5857 of 2022

SSD(CO)
SP(25/03/2022)