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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15322 of 2023

Mithlesh Prakash Jigal

Petitioner

vs.

State, represented by
The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.
(Crime No.60 of 2023)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed in the order dated 10.05.2023 made in Crl.M.P.No.186 of 2023, on the file of the DMC cum Judicial Magistrate at Uthukottai, petitioner shall execute own bond for Rs.25,00,000/- (Twenty Five Lakhs only) along with two surety for the like sum to the satisfaction of this Court.

For Petitioner : Mr.P.Chandrasekar

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



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ORDER

This petition has been filed seeking for modification of the condition imposed by the Court below while allowing the application filed by the petitioner seeking for the return of vehicle in CrI.M.P.No.186 of 2023, dated 10.05.2023.

2.Heard Mr.P.Chandrasekar, learned counsel appearing on behalf of the petitioner and Mr.A.Gopinath, learned Government Advocate (CrI. Side) appearing on behalf of the respondent.

3.The petitioner who is the owner of the vehicle filed an application seeking for the return of the vehicle. Admittedly, the petitioner is not an accused in this case and he is only the owner of the vehicle. The Court below while allowing the application, imposed certain conditions and the petitioner is aggrieved by Condition No.1 and the same is extracted hereunder:

1.The petitioner shall execute own bond for Rs.25,00,000/- (Rupees Twenty Five Lakhs only) along with two surety for the like sum to the satisfaction of this Court.



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4. Taking into consideration the facts and circumstances of the case, this Court is inclined to modify Condition No.1 as follows:

The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) along with two sureties for a sum of Rs.10,000/- each.

5. The other conditions imposed by the Court below shall stand as it is.

6. Accordingly, this criminal original petition is disposed of in the above terms.

10.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr

Note: Issue Order Copy on 12.07.2023



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N. ANAND VENKATESH., J.

SSI

To

- 1.The DMC cum Judicial Magistrate at Uthukottai,
- 2.The Inspector of Police,
Periyapalayam Police Station,
Thiruvallur District.
- 3.The Public Prosecutor, High Court, Madras.

CrI.O.P No.15322 of 2023

10.07.2023