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Crl.O.P.No.18027 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18027 of 2023

M/s.TVS Credit Services Limited,
Represented by its Authorized Signatory,
Mr.P.Jeipriyan,
Having registered office at
Jayalakshmi Estates,
No.29, Haddows Road,
Nungambakkam, Chennai 6

...Petitioners

vs.

- 1.The Inspector of Police,
DCB Thiruvallur Police Station,
Chennai.
- 2.Economic Offences Wing II,
SIDCO, Old Corporate Building,
Garment Complex II,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai 32.
- 3.Saranya

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the 2nd condition imposed in Crl.M.P.No.397 of 2023 dated 02.05.2023 on the file of the Special Judge under TNPID Act, in Crime No.63 of 2022 on the file of the respondent police.



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For Petitioners : Mr.S.C.Vishwanth
For Respondents : Mr.A.Damodaran,
Additional Public Prosecutor

ORDER

This criminal original petition has been filed challenging one of the conditions that was imposed by the Court below while allowing the application filed by the petitioner in CMP.No.397 of 2023 by an order dated 02.05.2023.

2. Heard the learned counsel for the petitioner and the respondent and also perused the materials available on record.

3. The petitioner is aggrieved by the following condition that was imposed by the Court below:

“2. The petitioner shall execute a bond for a sum of Rs.15,00,000/- for the vehicle TOYOTA FORTUNER 3.0 LIMITED EDITION VEHICLE bearing Engine No.1KDU700723; Chassis No.MBJ11JV6104038703 and having registration No.TN20 CJ 2345 with one surety for a like sum to the satisfaction of this Court.”

4. It is brought to the notice of this Court that the petitioner-company is a financier and the accused person, against whom the investigation is pending in Crime No.63 of 2022 had borrowed money from the petitioner-company and purchased the subject vehicle. She had only paid the first instalment and



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thereafter the vehicle was seized by the respondent-police in the course of investigation. An application was filed for return of vehicle and the same was allowed by the Court below and one of the condition that was imposed by the Court below, that has been extracted supra, has been put to challenge.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the petitioner to execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with two sureties for a sum of Rs.25,000/- each. Accordingly, the second condition imposed by the Court below stands modified. The other conditions imposed by the Court below shall stand as it is.

6. This Criminal Original Petition is disposed of in the above terms.

10.08.2023

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

Note: Issue order copy on 11.08.2023.



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N. ANAND VENKATESH, J.

nsa

To

- 1.The Inspector of Police,
DCB Thiruvallur Police Station,
Chennai.
- 2.Economic Offences Wing II,
SIDCO, Old Corporate Building,
Garment Complex II,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai 32.
- 3.The Public Prosecutor,
High Court, Madras.

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