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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.17095 of 2023

Mr.Vijayakumar

Petitioner

VS.

State By: The Inspector of Police,
Peerankaranai Police Station,
Chennai.
(Crime No.193 of 2021)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the condition imposed on the petitioner shall execute a bond for a sum of Rs.4,00,000/- in Crl.M.P.No.951 of 2021 dated 22.07.2021 on the file of the Judicial Magistrate, Tambaram, Chennai.

For Petitioners : Mr.C.Manikandan

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking for the modification of the condition imposed by the Court below while allowing the application filed by the petitioner for return of vehicle.



2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The respondent police registered an FIR in Crime No.193 of 2021 for offence under Section 392 of IPC. The vehicle belonging to the petitioner is said to be involved in the robbery that was committed. This vehicle was seized by the respondent police in the course of investigation.

4. The learned Government Advocate (Crl. Side) on instructions submitted that the investigation has been completed and that the final report was also filed before the learned Judicial Magistrate-I, Tambaram and it was taken on file in C.C.No.170 of 2021.

5. The petitioner filed an application under Section 451 and 457 of Cr.P.C. Seeking for rerun of vehicle. The Court below allowed the application by an order dated 22.07.2021 by imposing certain conditions. The petitioner is aggrieved by condition Nos.1 and 2 and for proper appreciation, the same is extracted hereunder:

- i. *The petitioner shall execute a bond for Rs.4,00,000/-*
- ii. *The petitioner shall furnish two sureties and to execute the bond for sum of Rs.4,00,000/-*



6. Taking into consideration the facts and circumstance of the case, this Court is inclined to modify the above two conditions as follows:

- i. The petitioner shall execute a bond for a sum of Rs.50,000/-
- ii. The petitioner shall furnish two sureties to execute the bond for sum of Rs.10,000/- each.

7. The conditions imposed by the Court below is modified to the extent indicated herein above. The other conditions imposed by the Court below shall stand as it is.

8. This Criminal Original Petition is disposed of accordingly.

28.07.2023

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

Note: Issue Order Copy on 31.07.2023

To

1. The Judicial Magistrate, Tambaram, Chennai.



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N. ANAND VENKATESH,. J.

SSR

2.The Inspector of Police,
Peerankaranai Police Station,
Chennai.

3.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.17095 of 2023

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