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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.18950 of 2023

A.Syed Abthahir (M/A-32)
S/o.Abdul Wahab

Petitioner

vs.

State, represented by
The Sub Inspector of Police,
Tambaram Police Station
Chennai 600 045.
Crime No.688 of 2022

Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to modify the conditions “(i) the petitioner shall execute a bond for Rs.3,50,000/- and (Ii) the petitioner shall furnish two sureties and to execute the bond for a sum of Rs.3,50,000/- each” passed by the Judicial Magistrate No.I, Tambaram in Crl.MP.No.428 of 2023 dated 29.3.2013.

For Petitioner : Mr.A.M.D.Mohamed Salih Hussain

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



ORDER

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This criminal original petition has been filed seeking for modification of two of the conditions imposed by the Court below while allowing the application filed by the petitioner for return of vehicle in Crl.MP.No.428 of 2023 by order dated 29.3.2023.

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

3.The petitioner is aggrieved by the following conditions imposed by the Court below:

- (i) The petitioner shall execute a bond for Rs.3,50,000/-.
- (ii) The petitioner shall furnish two sureties and to execute the bond for a sum of Rs.3,50,000/- each.

4.Taking into consideration the facts and circumstance of the case and also of the fact that the condition imposed by the Court below is onerous, this Court is inclined to modify the conditions imposed by the Court below in the following manner:



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(i) The petitioner shall execute a bond for a sum of

Rs.50,000/- with two sureties for the like sum to the satisfaction of the Court.

5.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.

6.This Criminal Original Petition is disposed of accordingly.

21.08.2023

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

Note: Issue Order Copy on 22.08.2023

To

1.The Sub Inspector of Police,
Tambaram Police Station
Chennai 600 045.

2.Judicial Magistrate No.I
Tambaram.

3.The Public Prosecutor,
High Court, Madras.



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N. ANAND VENKATESH., J.
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