



WEB COPY



Criminal Original Petition No.3748 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.3748 of 2024

Manoharan
S/o.Kaveri

... Petitioner

Vs.

The State represented by
The Inspector of Police,
E-2 Peelamedu Police Station,
Coimbatore District.
Crime No.208 of 2023

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to modify the condition that the petitioner shall execute an own bond for Rs.70,000/- along with one solvency surety to the like sum amount in C.M.P.No.31110 of 2023 on the file of Judicial Magistrate II, Coimbatore, dated 26.07.2023.

For Petitioner : Mr.T.Muruganantham

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor



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ORDER

WEB COPY This petition has been filed aggrieved by one of the condition imposed by the Court below while allowing the petition filed by the petitioner seeking for return of vehicle u/s.457 Cr.P.C.

2. Heard Mr.T.Muruganantham, learned counsel for petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing for respondent.

3. The respondent police, in the course of investigation in Crime No.208 of 2023 seized the vehicle belonging to the petitioner. In this case, the petitioner has not been arrayed as an accused. The petitioner filed an application seeking for return of the vehicle. The Court below allowed the application by imposing certain conditions. The petitioner is aggrieved by condition (ii) imposed and for proper appreciation, the same is extracted hereunder:

"The petitioner shall not alter or modify or sale the property till the disposal of the case and produce the property whenever this court order to produce before this court, to that effect the petitioner shall execute own bond for Rs.70,000/- alongwith one solvency surety to the like sum



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amount."

4. Taking into consideration the facts and circumstances of the case and on considering the grievance expressed by the petitioner, the condition (ii) (extracted above) imposed by learned Judicial Magistrate II, Coimbatore, in C.M.P.No.31110 of 2023 dated 26.07.2023, is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum. All other conditions imposed by the Court below shall remain unaltered.

Accordingly, this Criminal Original Petition is disposed of.

26.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm

N.ANAND VENKATESH, J.



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gm

WEB COPY To

- 1.The Judicial Magistrate II,
Coimbatore.
- 2.The Inspector of Police,
E-2 Peelamedu Police Station,
Coimbatore District.
Crime No.208 of 2023
- 3.The Public Prosecutor,
High Court, Madras.

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