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Crl.M.P.No.3145 of 2025 in Crl.R.C.No.2000 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.3145 of 2025

in

Crl.R.C.No.2000 of 2024

Sarathi Senthil

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
S-3 Meenambakkam Police Station,
Chennai – 27.
Crime No.37 of 2024

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition that the para 6(1) “the petitioner shall execute a bond for sum of Rs.1,00,000/- (Rupees one lack only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Alandur” the order dated 20.11.2024 in Crl.R.C.No.2000 of 2024 by this Court.

For Petitioner : Mr.K.Shanmugam

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



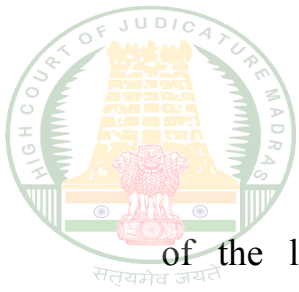
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ORDER

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This Criminal Miscellaneous Petition has been filed to modify the condition imposed by this Court in Crl.R.C.No.2000 of 2024 dated 20.11.2024, thereby directed the petitioner to execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Alandur.

2. The petitioner is the owner of the two wheeler viz., Bajaj KTM 390 Duke bearing registration No.KL-40-M-4812 and the said vehicle was involved in a crime registered in Crime No.37 of 2024 on the file of the respondent for the offences punishable under Sections 115(2), 118(1), 109, 311, 324(6), 351(3) and 61(2) of BNS. In pursuant to the registration of FIR, the said vehicle was seized and so far, the investigation not yet completed in Crime No.37 of 2024. In order to get interim custody of the vehicle, the petitioner approached the trial Court and the same was dismissed. Aggrieved by the same the petitioner approached this Court in Crl.R.C.No.2000 of 2024 and this Court by an order dated 20.11.2024, while allowing the petition, imposed one of the conditions that “the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees one lakh only) with two sureties each for a like sum to the satisfaction



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of the learned Judicial Magistrate No.1, Alandur”. To modify the said condition, the present petition has been filed.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. The learned counsel appearing for the petitioner submitted that in the dispute between the college students, the petitioner has been falsely implicated in this case and the vehicle of the petitioner was also seized by the respondent police. The petitioner is a daily wager and he has no proper income. Hence, he prayed to modify the above said condition.

5. Considering the above facts and circumstance, this Court is inclined to modify the condition imposed by this Court in Crl.R.C.No.2000 of 2024 dated 20.11.2024 as follows :-

“(i) the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees fifty thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Alandur”.

The other conditions shall remain unaltered.



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6. Accordingly, this Criminal Miscellaneous Petition is ordered.

02.06.2025

Internet :Yes/No

Index :Yes/No

Speaking/Non speaking order

rts



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To

1. The Judicial Magistrate No.1,
Alandur.
2. The The Inspector of Police,
S-3 Meenambakkam Police Station,
Chennai – 27.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN. J.

rts

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