



WEB COPY



CrI.O.P.No.5121 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2025

CORAM:

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

CrI.O.P.No.5121 of 2025

Chitra

W/o.Govintharaj

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Kairlabath Police Station,
Ariyalur District.
(Cr.No.187/2024)

... Respondent

PRAYER: The Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition imposed in para No.6(1) of the order dated 05.02.2025 made in CrI.M.P.No.101 of 2025 by the learned Judicial Magistrate No.I, Ariyalur that the petitioner shall execute a bond for Rs.15,00,000/- with two sureties for like sum.

For Petitioner : Mr.M.Vijaya Ragavan

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

- - - - -



CrI.O.P.No.5121 of 2025

ORDER

WEB COPY

This petition has been filed to modify one of the conditions imposed in para No.6(1) of the order dated 05.02.2025 made in CrI.M.P.No.101 of 2025 by the learned Judicial Magistrate No.I, Ariyalur that the petitioner shall execute a bond for Rs.15,00,000/- with two sureties for like sum.

2. The learned counsel appearing for the petitioner submits that the petitioner is the owner of the Ashok Leyland Ltd., Goods Carrier Lorry bearing Regn.No.TN-57-AK-9390. On 22.12.2024, the vehicle was seized by the Kairlabath Police in Cr.No.187 of 2024 under Section 303(2) BNS r/w M&M, D &R Act 1957, the same was kept in Kairlabath police station. Subsequently, the petitioner has filed a petition in CrI.M.P.No.101 of 2025 before the learned Judicial Magistrate-I, Ariyalur for return of the said vehicle to the petitioner as a interim custody, the same was allowed vide order dated 05.02.2025 with certain conditions. Out of which, one of the conditions imposed by the court is that “ *the petitioner should execute a bond of Rs.15,00,000/- with*



Crl.O.P.No.5121 of 2025

two sureties for likesum”. Due to financial crisis, the petitioner could not arrange the money to execute the same. Hence, he seeks for modification of the above said condition.

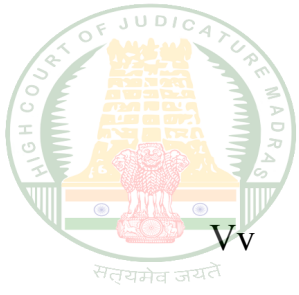
3. The learned Government Advocate (Crl.Side) appearing for the respondent police reiterated the reasons stated in the impugned order for rejecting the petitioner's petition.

4. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.Side) appearing for the respondent police.

5. Taking into consideration the facts and the submissions made by both counsel, the condition imposed as against the petitioner/accused is modified to the effect that “ ***the petitioner shall execute a sum of Rs.15,000/- with two sureties for a likesum. Further, the petitioner shall deposit the original R.C book of the said vehicle and on such deposit, the seized vehicle of the petitioner will be released***”. All other conditions remain unaltered.

6. With the above modification, this Criminal Original Petition is ordered.

25.02.2025



CrI.O.P.No.5121 of 2025

WEB COPY

To

1. The Judicial Magistrate No.I,
Ariyalur.
2. The Inspector of Police,
Kairlabath Police Station,
Ariyalur District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



WEB COPY



CrI.O.P.No.5121 of 2025

G.K.ILANTHIRAIYAN, J.

Vv

CrI.O.P.No.5121 of 2025

25.02.2025