



WEB COPY



Crl.O.P.No.10639 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.04.2025

CORAM:

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

Crl.O.P.No.10639 of 2025

Banumathi

... Petitioner

Vs

State by, Inspector of Police,
CCB Police Station,
Tiruppur.
(Cr.No.9/2024)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/ Section 482 of Cr.P.C, to set aside the condition No.III that the petitioner shall not alter or modify or sale the property till the disposal of the case and produce the property whenever this court ordered to produce before this court to that effect the petitioner shall execute a indemnity bond for a sum of Rs.20,00,000/- along with one solvency surety to the like sum amount by the order of the Judicial Magistrate No.1, Tirupur in ECMP.No.544 of 2025 dated 21.03.2025.

For Petitioner : Mr.J.Franklin

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.side)



Crl.O.P.No.10639 of 2025

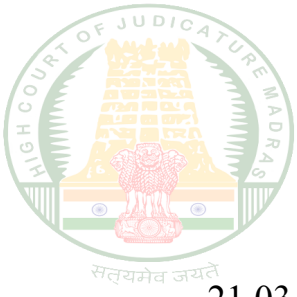
WEB COPY

ORDER

This Criminal Original Petition has been filed to set aside the condition No.III that the petitioner shall not alter or modify or sale the property till the disposal of the case and produce the property whenever this court ordered to produce before this court to that effect the petitioner shall execute a indemnity bond for a sum of Rs.20,00,000/- along with one solvency surety to the like sum amount by the order of the Judicial Magistrate No.1, Tirupur in ECMP.No.544 of 2025 dated 21.03.2025.

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

3. The petitioner is an accused in Crime No.9 of 2024. The Toyota Kirloskar Innova Crysta 2.4 V BS IV Vehicle bearing Registration No.TN-39-CB-2466 belonging to the petitioner was seized by the respondent police in Crime No.9 of 2024 for the offence under Sections 406, 420 and 212 IPC. Therefore, the petitioner filed a petition in ECMP.No.544 of 2025 before the Judicial Magistrate No.1, Tirupur, seeking for return of the vehicle and the same was ordered on



CrI.O.P.No.10639 of 2025

WEB COPY

21.03.2025, on condition that the petitioner shall not alter or modify or sale the property till the disposal of the case and produce the property whenever this court ordered to produce before this court to that effect the petitioner shall execute a indemnity bond for a sum of Rs.20,00,000/- along with one solvency surety to the like sum amount. However, the petitioner was not able to comply with the said condition. Hence, this Criminal Original Petition.

4. Considering the above facts and circumstances of the case, the condition No.(iii) imposed on the petitioner in ECMP.No.544 of 2025 dated 21.03.2025 by the Judicial Magistrate No.1, Tirupur, is modified to the effect that the petitioner shall not alter or modify or sale the property till the disposal of the case and produce the property whenever this court ordered to produce before this court to that effect the petitioner shall execute a indemnity bond for a sum of Rs.5,00,000/- along with one solvency surety to the like sum amount. The other conditions shall remain intact.



Crl.O.P.No.10639 of 2025

WEB COPY

5. With the above directions, this Criminal Original Petition is
modified.

09.04.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn



WEB COPY



Crl.O.P.No.10639 of 2025

To

1. The Judicial Magistrate No.1, Tirupur
2. The Inspector of Police,
CCB Police Station,
Tiruppur.
3. The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.O.P.No.10639 of 2025

G.K.ILANTHIRAIYAN. J.

mn

Crl.O.P.No.10639 of 2025

09.04.2025