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Crl.M.P.No.9868 of 2025 in Crl.R.C.No.80 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM:

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

Crl.M.P.No.9868 of 2025

in

Crl.R.C.No.80 of 2025

Mukesh Kumar Purohith

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
Bagayam Police Station,
Vellore.

Crime No.202 of 2022

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition 7(i) of the order dated 27.01.2025 in Crl.R.C.No.80 of 2025.

For Petitioner : Mr.C.Vidhusan

For Respondent : Mr.A.Gopinath

Criminal Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed to modify the condition imposed by this Court in Crl.R.C.No.80 of 2025 dated 27.01.2025, thereby directed the petitioner to execute a personal bond for a sum of Rs.7,50,000/- with two sureties for a likesum to the satisfaction of the learned



Judicial Magistrate No.1, Vellore.

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2. The petitioner is the owner of the vehicle viz., Innova car bearing registration No.TN-07-BD-9963 and the said vehicle was involved in a crime registered in Crime No.202 of 2022 on the file of the respondent for the offences punishable under Sections 7(5), 20(2) of COTPA Act r/w. 328 of IPC. In pursuant to the registration of FIR, the said vehicle was seized and so far, the investigation not yet completed in Crime No.202 of 2022. 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.80 of 2025 and this Court by an order dated 27.01.2025, while allowing the petition, imposed one of the conditions that “the petitioner shall execute a personal bond for a sum of Rs.7,50,000/- with two sureties for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Vellore”. 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 the



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petitioner is unable to secure sureties for such a huge amount due to financial constraint and further the petitioner do not have access to individuals willing to stand surety.

5. Considering the above facts and circumstance, this Court is inclined to modify the condition imposed by this Court in Crl.R.C.No.80 of 2025 dated 27.01.2025 as follows :-

“(i) the petitioner shall execute a personal bond for a sum of Rs.7,50,000/- (Rupees seven lakhs fifty thousand only) to the satisfaction of the learned Judicial Magistrate No.1, Vellore”.

The other conditions shall remain unaltered.

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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G.K.ILANTHIRAIYAN. J.

rts

To

1. The Judicial Magistrate No.1,
Vellore

2. The Inspector of Police,
Bagayam Police Station,
Vellore.

3. The Public Prosecutor,
Madras High Court,
Chennai.

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