



Crl.R.C.No.990 of 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM:

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

Crl.R.C.No.990 of 2025

Jaiganesh

..... Petitioner

Vs

The State Rep.by the
Inspector of Police,
District Crime Branch,
Tiruvannamalai District.
Crime No.15 of 2024

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code/ 438 r/w 442 Bharatiya Nagarik Suraksha Sanhita, 2023 to set aside and modify the condition No.1 imposed in the order dated 07.02.2025 made in Crl.M.P.No.56 of 2025 on the file of the Ld.Judicial Magistrate Court No.I. Tiruvannamalai, by allowing this Criminal Revision Petition.

For Petitioner : Mr.C.Harish

For Respondent : Mr.A.Gopinath,
Government Advocate (Crl.side)



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ORDER

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This Criminal Revision Case has been preferred as against the order dated 07.02.2025 passed by the learned Judicial Magistrate court No.I, Tiruvannamalai in Crl.M.P.No.56 of 2025 thereby giving interim custody of the vehicle to the petitioner with certain conditions.

2. Learned counsel appearing for the petitioner would submit that the petitioner could not comply with the condition imposed by the Trial Court with respect to production of solvent sureties to the tune of Rs.15,00,000/- since the same would arise only in case of bail and not in respect of return of property under pending enquiry and further the condition is onerous. However, the trial court without considering the same, has mechanically passed an order imposing the said condition. Hence, the learned counsel for the petitioner sought modification of the condition with regard to production of solvent sureties in the order dated 07.02.2025.

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



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4. Even a bare perusal of the order dated 07.02.2025 passed in Crl.M.P.No.56 of 2025 reveals that condition no.1 imposed therein is onerous, more so in a case of return of property. Further, condition no.V is also onerous and has been passed without any reason. In such view of the matter, this Court is inclined to modify condition no.I of the order dated 07.02.2025 in Crl.M.P.No.56 of 2025 by directing the petitioner herein to execute surety for a sum of Rs.15,00,000/- alone. The fifth condition imposed in the said order stands deleted. All other conditions in the order dated 07.02.2025 shall remain unaltered.

5. Accordingly, this Criminal Revision Case is partly allowed.

07.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

Nhs



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G.K.ILANTHIRAIYAN, J.

Nhs

To

1.The Learned Judicial Magistrate Court No.I.
Tiruvannamalai.

2The Inspector of Police,
District Crime Branch,
Tiruvannamalai District.Crl.R.C.No.990 of 2025

3. The Public Prosecutor,
High Court of Madras,
Chennai-600 104.

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