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Crl.O.P.No.20117 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2025

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.20117 of 2025

Karpagam

...Petitioner

Vs.

The State Rep. by its,
The Inspector of Police,
Bangalapurdur Police,
Erode District.

...Respondent

Prayer : Criminal Original Petition filed under Section 528 BNSS to set aside and modify the conditions in para no.4, clauses ii and iii of the order dated 02.07.2025 passed in Crl.M.P.No.1071 of 2025 by the learned Judicial Magistrate No.I, Gobichettipalayam, Erode District.

For Petitioner : Mr.J.Titus Enock

For Respondent : Dr.C.E.Pratap

Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking to modify the conditions imposed by the learned Judicial Magistrate No.I, Gobichettipalayam, by order dated 02.07.2025 in Crl.M.P.No.1071 of 2025.

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According to learned counsel for the petitioner, the



Crl.O.P.No.20117 of 2025

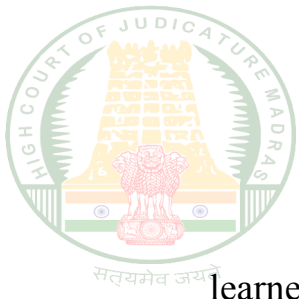
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petitioner is the owner of the vehicle, which was seized by the respondent police in connection with Cr.No.195 of 2025. Hence she filed a petition under Section 503 of BNSS seeking interim custody of the vehicle. The learned Magistrate, while ordering interim custody of the vehicle imposed certain conditions, in which two of the conditions are onerous, whereby she was directed to deposit Rs.50,000/- as non refundable amount and to handover the RC book, which was already deposited before the Court below. Therefore she seeks to modify the above two conditions.

3 Learned Government Advocate (Crl.Side) would submit that the petitioner's vehicle was involved in the offence under the Mines and Minerals (Development and Regulation) Act, 1957, and a case in Cr.No.195 of 2025 has also been registered for the same.

4 Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

5 A careful reading of the conditions imposed by the



Crl.O.P.No.20117 of 2025

WEB COPY

learned Judicial Magistrate No.I, while ordering the interim custody of the vehicle, reveal that except condition No.ii, whereby the petitioner was directed to deposit Rs.50,000/- as non refundable amount, all other conditions are just and reasonable.

6 Accordingly, condition no.(ii) imposed by the learned Judicial Magistrate No.I, in the order dated 02.07.2025 in Crl.M.P.No.1071 of 2025 alone is hereby set aside and all the other conditions remain unaltered.

7 With the above modifications, this Criminal Original Petition stands disposed of.

17.07.2025

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Speaking /Non-speaking order

To

1. The Judicial Magistrate No.I, Gobichettipalayam, Erode District.
2. The Inspector of Police, Bangalapurdur Police, Erode District.
3. The Public Prosecutor, High Court of Madras.



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CrI.O.P.No.20117 of 2025

P.VELMURUGAN, J.

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CrI.O.P.No.20117 of 2025

17.07.2025