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CrI.O.P.No.22898 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CrI.O.P.No.22898 of 2025

Karpagam

... Petitioner

Versus

State rep. By Inspector of Police,
Bangalapudur Police,
Erode District

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C.,
/ Section 528 of BNSS to set aside the Docket Order dated 06.08.2025
passed in Surety Memo in CrI.M.P.No.1071 of 2025 on the file of the
learned Judicial Magistrate No.I, Gobichettipalayam, Erode District

For Petitioner : Mr.J.Titus Enock

For Respondent : Mr.R.Vinothraja
Government Advocate (CrI.Side)



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ORDER

Challenging the return of the surety memo dated 06.08.2025, the petitioner has come up with the present petition.

2. Heard the learned counsel on either side and perused the documents placed on record carefully.

3. The grievance of the petitioner is that when she produced the surety memo to release the vehicle, the said memo has been returned on the ground that Condition No.(iii) in the order of CrI.M.P.No.1071 of 2025 dated 02.07.2025 has not been complied with. The petitioner, in fact, was granted custody of the vehicle involved in offence under Section 303 (2) of BNSS r/w 21(1) of Mines and Minerals Act, 1957. While releasing the vehicle, the learned Judicial Magistrate, directed to deposit the original RC Book.

4. It is the contention of the learned counsel for the petitioner before this Court that original RC Book was already deposited before the learned Judicial Magistrate No.II, Gobichettipalayam in P.R. 74 of 2024, therefore, the original RC Book was not produced.



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5. In such view of the matter, the learned Judicial Magistrate No.I, Gobichettipalayam shall verify with the learned Judicial Magistrate No.II, Gobichettipalayam, whether the RC Book was already deposited in other case in PRC No.74 of 2022 on the file of learned Judicial Magistrate No.II, Gobichettipalayam, if the petitioner had deposited, the Judicial Magistrate No.I, Gobichettipalayam shall not insist to produce Original RC Book and may send a memo to the concerned court to not to release the R.C.book of the accused, since the connected case is also pending before the learned Judicial Magistrate No.I, Gobichettipalayam. On such memo, the learned Judicial Magistrate No.II, Gobichettipalayam shall not release the RC Book to the petitioner.

With the above directions, the petition is allowed and the Docket Order dated 06.08.2025 passed in Surety Memo in Crl.M.P.No.1071 of 2025 on the file of the learned Judicial Magistrate No.I, Gobichettipalayam, Erode District is set aside.

19.08.2025

Index: Yes/No
Internet: Yes/No
Speaking Order / Non Speaking order
ssd



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N.SATHISH KUMAR, J.

ssd

To

1. The Judicial Magistrate No.I, Gobichettipalayam,
Erode District
2. The Judicial Magistrate No.II, Gobichettipalayam,
Erode District
3. State rep. By Inspector of Police,
Bangalapudur Police,
Erode District
4. The Public Prosecutor,
High Court, Madras.

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