



Crl.O.P.No.27497 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

CORAM:

THE HON'BLE MR.JUSTICE N. SATHISH KUMAR

Crl.O.P.No.27497 of 2025

Selvaraj

... Petitioner

Vs.

State by Inspector of Police,
Vazhapadi Police Station,
Salem District.
(Crime No.180/2024)

... Respondent

PRAYER : Criminal Original Petition is filed under Section 528 of BNSS, to set aside and modify the condition “that the petitioner shall execute a indemnity bond for a sum of Rs.2,50,000/- with two sureties like sum each Rs.10,000/- by the order of the District Cum Judicial Magistrate, Vazhapadi, in Crl.M.P.No.6 of 2025 dated 20.01.2025.

For Petitioner : Mr.J.Franklin

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



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ORDER

WEB COPY This Criminal Original Petition has been filed to modify the conditions imposed by the learned District Munsif Cum Judicial Magistrate, Vazhapadi, in Crl.M.P.No.6 of 2025 dated 20.01.2025, while ordering the return of the vehicle.

2. It is the contention of the learned counsel for the petitioner that the learned District Munsif Cum Judicial Magistrate, Vazhapadi, in Crl.M.P.No.6 of 2025 dated 20.01.2025, had imposed a condition that the petitioner shall execute of a bond for a sum of Rs.2,50,000/- with two sureties, each for a sum of Rs.10,000/-. He further submitted that, though the said condition had already been set aside by this Court on 20.03.205 in Crl.O.P.No.8139 of 2025, whereas while typing the order, instead of “Vazhapady Police Station, Salem District,” “Vazhapadi Police Station, Tiruppur City” was erroneously recorded in the cause title.

3. However, an amendment petition was filed before this Court in Crl.M.P.No. 9615 of 2025, to rectify the said error and the same was dismissed by this Court on 10.06.2025. Hence, this petition.



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WEB COPY 4. Heard both sides and perused the materials placed on record.

5. Considering the facts and circumstances of the case, on a perusal of the order passed in Crl.O.P.No.8139 of 2025, this Court finds that the condition imposed by the trial Court were set aside, and the only mistake crept in the order was that, instead of “Salem District”, “Tiruppur City” was mentioned in the cause title. In such view of the matter, the orders passed in Crl.M.P.No.6 of 2025, shall prevail, wherein the condition imposed by the trial Court was already set aside. In fact, in Crl.O.P. No. 8139 of 2025, this Court had set aside only the condition imposed by the trial Court.

6. Accordingly, the first condition imposed by the learned District Munsif cum Judicial Magistrate, Vazhapadi, in Crl.M.P.No.6 of 2025 on 20.01.2025, is modified to the effect that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five only)** with two sureties each for a like sum to the satisfaction of the Court.

7. In view of the above, this Criminal Original Petition stands



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Neutral Citation: Yes/No

To

1. The District-cum-Judicial Magistrate,
Vazhapadi, Salem.
2. The Inspector of Police,
Vazhapadi Police Station,
Salem District.
3. The Public Prosecutor,
High Court of Madras.

N. SATHISH KUMAR, J.



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