



Crl.O.P.No.33089 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

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Neelofer

... Petitioner

Vs.

The State of Tamil Nadu represented by,
The Inspector of Police,
Vellore South Police Station,
Vellore District

(Crime No.81 of 2024)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita/Section 482 of Cr.P.C., to set aside and modify the condition imposed by the learned Sessions Division Court, Vellore, in Crl.R.P.No.02 of 2025 order dated 16.04.2025 to return the petitioner's Suzuki Access two wheeler without registration vehicle in Engine No.AF213521128 and Chasis No.MB8DP12PAR866543.



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For Petitioner : Mr.S.N.Malik Saleem

For Respondent : Mr.S.Santhosh
Government Advocate (Criminal Side)



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ORDER

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The present Criminal Original Petition has been filed seeking to set aside and modify the condition imposed by the learned Principal Sessions Judge, Sessions Division, Vellore, in Crl.R.P.No.02 of 2025 dated 16.04.2025, directing the petitioner to execute her own bond for Rs.90,000/- with two sureties, out of whom, one shall be the Government servant or quasi Government servant.

2. The brief facts of the case are as follows:-

2.1. The petitioner is the owner of the vehicle, viz., a Suzuki Access bearing Engine No.AF213521128 and Chasis No.MB8DP12PAR866543, which was seized by the respondent Police in connection with Crime No.81 of 2024 registered on the file of the respondent for the offences under Sections 294(b), 392 and 506(2) of IPC.

2.2. Thereafter, the petitioner filed a petition in CMP No.13729 of 2024 seeking interim custody of the vehicle. The learned Judicial Magistrate No.I, Vellore, dismissed the petition vide order dated 3/9



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29.01.2025.

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2.3. Aggrieved by the same, the petitioner preferred a revision in Crl.R.P.No.02 of 2025 before the Sessions Division, Vellore. The learned Principal Sessions Judge, while granting interim custody of the vehicle on 16.04.2025, issue a direction as stated in the opening paragraph. Hence, the present petition has been filed.

3. Learned counsel appearing for the petitioner submitted that the petitioner had purchased a new Suzuki Access two-wheeler without registration and the same was misused by the accused. He further submitted that the petitioner is not an accused in this case, however, the learned Sessions Judge has imposed an onerous condition directing execution of a bond for Rs.90,000/- with two sureties, including one Government servant or quasi-Government servant. Hence, he prayed for setting aside and modifying the said condition.

4. Learned Government Advocate (Criminal Side) submitted that



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though the petitioner is the owner of the vehicle which was used in the crime, she is not an accused in this case. He further submitted that the value of the two-wheeler is Rs.1 lakh.

5. Having heard the learned counsel on either side and upon perusal of the materials available on record and taking note of the fact that the petitioner is not an accused in this case, this Court is of the opinion that the conditions imposed in CrI.R.P.No.02 of 2025 are onerous. Accordingly, the conditions 12 (ii) and 12 (iii) imposed by the learned Principal Sessions Judge, in CrI.R.P.No.02 of 2025 dated 16.04.2025, are modified as follows:-

“The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with one normal surety for a like sum to the satisfaction of the Court concerned, along with proof of the stated value.”

6. It is made clear that all other conditions imposed in CrI.R.P.No.02 of 2025 vide order dated 16.04.2025 shall remain unaltered.



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7. With the above modification, this Criminal Original Petition

stands allowed.

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Neutral Citation: Yes /No



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- To
1. The Principal Sessions Judge,
Sessions Division, Vellore.
 2. The Judicial Magistrate I,
Vellore.
 3. The Inspector of Police,
Vellore South Police Station,
Vellore District.
 4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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