



CrI.OP.No.32080 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2025

CORAM:

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

CrI.OP.No.32080 of 2025

Venkatesan

...Petitioner

Vs.

The State rep. by,
The Inspector of Police,
Perumbakkam Police Station,
Chennai.
(Crime No.322 of 2025)

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023 to modify the condition in paragraph No.5(1) imposed by learned Judicial Magistrate No.II, Alandur in C.M.P.No.4492 of 2025 that the petitioner shall execute a bond for Rs.1,30,000/- along with one surety for the like sum.

For Petitioner : Mr.R.Saravanapandiyan

For Respondent : Mr.S.Santhosh, GA(CrI. Side)

ORDER

This criminal original petition has been filed seeking to modify the condition imposed by learned Judicial Magistrate No.II, Alandur in



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C.M.P.No.4492 of 2025, vide order dated 07.10.2025 directing the petitioner to execute a bond for a sum of Rs.1,30,000/- along with one surety for the like sum.

2. It is the case of the petitioner that the petitioner's vehicle bearing Regn.No.TN-14-AK-4596 has been recovered by the respondent police as a case property in connection with Crime No.322 of 2025. Hence, the petitioner filed a petition seeking return of vehicle in C.M.P.No.4492 of 2025 and the trial court, vide impugned order dated 07.10.2025, though ordered for interim custody of the vehicle in favour of the petitioner, however, directed the petitioner to execute a bond for a sum of Rs.1,30,000/- along with one surety for the like sum. Aggrieved by the same, the petitioner has come up with this petition.

3. Learned counsel for the petitioner submitted that the petitioner is the owner of the property and though the value of the vehicle itself does not exceed Rs.50,000/-, the trial court had imposed an onerous condition of execution of bond for a sum of Rs.1,30,000/- which is not sustainable. He further submitted that due to his penurious condition, the petitioner is not in



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a position to mobilize such a huge amount owing to which, he is unable to take back his vehicle. Accordingly, he prayed for modification of the said condition imposed by the trial court.

4. Learned Government Advocate (Criminal Side) appearing for the respondent did not dispute the above submission made by the learned counsel for the petitioner with regard to the ownership of the vehicle and he submitted that the petitioner is not an accused.

5. Considering the facts and circumstances of the case and also considering that the petitioner is not an accused and instead, he is the owner of the property and also taking into account the value of the vehicle, this Court is inclined to modify the condition imposed by the trial court in respect of execution of bond for a sum of Rs.1,30,000/-.

6. Accordingly, condition No.5(1) imposed by the learned Judicial Magistrate No.II, Alandur in C.M.P.No.4492 of 2025 on 07.10.2025, is modified to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) along with one surety for



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a like sum to the satisfaction of the trial court and the said exercise shall be completed by the petitioner within a period of two weeks from the date of receipt of a copy of this order. All the other conditions imposed by the trial court, vide impugned order shall remain intact.

7. With the above modification, this criminal original petition stands disposed of.

01.12.2025

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Inspector of Police,
Perumbakkam Police Station,
Chennai.

2. The Judicial Magistrate No.II,
Alandur.

3. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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