



Crl.OP.No.35023 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.12.2025

CORAM:

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

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Preethi Vargis

...Petitioner

Vs.

State rep. by,
The Sub-Inspector of Police,
CCB Coimbatore Police Station.
(Crime No.7 of 2024)

...Respondent

Criminal Original Petition filed under Section 528 of BNSS, 2023 to modify the condition imposed in Para 4(1) of the order dated 31.01.2024 passed in CMP.No.26150 of 2024 in Crime No.7 of 2024 by the learned Judicial Magistrate No.VII (FAC), Coimbatore.

For Petitioner : Ms.S.Vasavi Sridevi

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

ORDER

This criminal original petition has been filed seeking to modify the condition imposed by learned Judicial Magistrate No.VII (FAC),



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Coimbatore in CMP.No.26150 of 2024, vide order dated 31.01.2024 directing the petitioner to execute a bond for a sum of Rs.17,00,000/- along with two sureties, each for a like sum of Rs.8,50,000/-.

2. At the outset, it is worth pointing out that the year of CMP.No.26150 and likewise, the year of FIR No.7 have been wrongly stated as 2025 in the prayer instead of 2024. Hence, the aforesaid mistakes have been corrected in this order. The learned counsel for the petitioner is advised to exercise due care in future cases.

3.It is the case of the petitioner that the petitioner's vehicle bearing Regn.No.KA-01-MZ-7781 has been recovered by the respondent police as a case property in connection with Crime No.7 of 2024. Hence, the petitioner filed a petition under Section 497 r/w. 503 of BNSS in CMP.No.26150 of 2024 seeking return of vehicle and the trial court, vide impugned order dated 31.01.2024, though ordered for interim custody of the vehicle in favour of the petitioner, directed the petitioner to execute a bond for a sum of Rs.17,00,000/- along with two sureties, each for a like sum of Rs.8,50,000/-. Aggrieved by the same, the petitioner has come up with this petition.



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4. 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.6,00,000/-, the trial court had imposed an onerous condition of execution of bond for a sum of Rs.17,00,000/- which is not sustainable. He further submitted that due to her penurious condition, the petitioner is not in a position to mobilize such a huge amount owing to which, she is unable to take back her vehicle. Accordingly, he prayed for modification of the said condition imposed by the trial court.

5. 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.

6. Considering the facts and circumstances of the case and also considering that the petitioner 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.17,00,000/- along with two sureties, each for a like sum of Rs.8,50,000/-.



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7. Accordingly, condition No.4(1) imposed by the learned Judicial Magistrate No.VII (FAC), Coimbatore in CMP.No.26150 of 2024 on 31.01.2024, is modified to the effect that the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One lakh only) along with two sureties each for a like sum of Rs.50,000/- 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.

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

19.12.2025

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



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To:

1. The Sub-Inspector of Police,
CCB Coimbatore Police Station.
2. The Judicial Magistrate No.VII (FAC),
Coimbatore.
3. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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