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CRL OP No. 9405 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 16-04-2026**

CORAM

**THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR**

**CRL OP No. 9405 of 2026**

Kanimozhi

Petitioner(s)

Vs

State Rep. by,  
The Inspector of Police,  
Mappedu Police Station,  
Kancheepuram District.  
Crime No.10 of 2026.

Respondent(s)

**PRAYER:** Criminal Original Petition filed under Section 528 of BNSS, to modify the condition imposed by the Judicial Magistrate No.II, Thiruvallur, by its order dated 06.03.2026 made in Crl.M.P.No.735 of 2026, as to execute a bond for a sum of Rs.10,000/- instead of the condition that the (i) the Petitioner shall execute a bond for a sum of Rs.40,00,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.II, Thiruvallur.

For Petitioner(s): Mr.V.Manimaran

For Respondent(s): Mr.R.Vinoth Raja  
Government Advocate (Crl. Side)



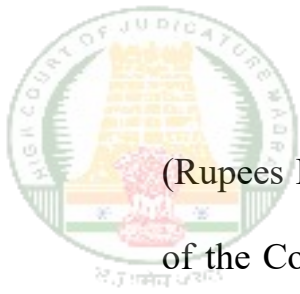
## **ORDER**

This Criminal Original Petition has been filed, seeking modification of the condition imposed by the learned Judicial Magistrate No.II, Thiruvallur, by order dated 06.03.2026 made in Crl.M.P.No.735 of 2026, as to execute a bond for a sum of Rs.10,000/- instead of the condition that the (i) the Petitioner shall execute a bond for a sum of Rs.40,00,000/- with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.II, Thiruvallur.

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

2.1. The petitioner is the owner of the vehicle, viz., Ashok Leyland Box Body Tipper Lorry bearing Reg.No.TN-16-H-9939 Engine No.NBHZ433950 and Chasis No.MB1JJLHD3NRBD6966. The said vehicle was seized by the respondent Police in connection with Crime No.10 of 2026 registered on the file of the respondent for the offences under Section 303(2) of BNS r/w Section 21(1) of Mines and Minerals (Development and Regulation) Act.

2.2. Thereafter, the petitioner filed a petition in Crl.MP No.735 of 2026, seeking interim custody of the vehicle. The learned Judicial Magistrate No.II, Tiruvallur, by order dated 06.03.2026, allowed the petition subject to the condition that the petitioner shall execute a bond for a sum of Rs.40,00,000/-



(Rupees Forty Lakhs Only) with two sureties for a like sum to the satisfaction of the Court concerned. Though the petition for return of vehicle was allowed, the petitioner is unable to comply with the said condition due to conditions imposed.

3. Learned counsel appearing for the petitioner submitted that the petitioner is the owner of the aforesaid vehicle and that the alleged offence was committed by the driver without her knowledge. He further submitted that the petitioner is not an accused in this case, and the condition imposed by the learned Magistrate is highly onerous. Hence, he seeks modification of the said condition.

4. Learned Government Advocate (Criminal Side) submitted that the vehicle involved in the offence belongs to the petitioner and its value is approximately Rs.45,00,000/-.

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 Crl.M.P.No.735 of 2026 are onerous. Accordingly, this Court is inclined to modify the conditions 6(i) and 6(ii) imposed by the learned Judicial



Magistrate No.II, Tiruvallur in Crl.M.P.No.735 of 2026 dated 06.03.2026, as follows:-

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*“(i) The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only), with two sureties for a like sum to the satisfaction of the Court concerned.*

*(ii) The petitioner shall produce the original RC Book along with a self-attested Photostat copy of the RC Book of the vehicle and other relevant records to prove her ownership. The learned Judicial Magistrate No.II, Tiruvallur, shall peruse the RC book and other records, retain a xerox copy of the same and return the original RC book to the petitioner.”*

6. It is made clear that all other conditions imposed in Crl.M.P.No.735 of 2026 vide order dated 06.03.2026 shall remain unaltered.

7. With the above modification, this Criminal Original Petition stands allowed.

**16-04-2026**

Jd

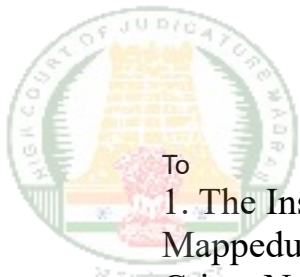
Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note to Registry: Issue order copy today i.e., on 22.04.2026.



To  
1. The Inspector of Police,  
Mappedu Police Station, Kancheepuram District.  
Crime No.10 of 2026.

2. The Public Prosecutor,  
Madras High Court, Chennai.



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**M.NIRMAL KUMAR J.**  
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