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CRL OP No. 9110 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-04-2026

CORAM

THE HON'BLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 9110 of 2026

Tharun
S/o. Rajan,
No.3/13, Mayavathi Street,
Tirunmanam Village,
Valayalanallur,
Tiruvallur.

..Petitioner(s)

Vs

State Rep. by
The Inspector of Police
Pattibaram Police Station,
Cr.No.334/2025

..Respondent(s)

Criminal Original Petition is filed under Section 528 BNSS to modify the conditions viz., 6 (i) (ii) imposed by the Judicial Magistrate-II, Tiruvallur in Crl M.P. No.203/2026 dated 25-3-2026 in T-9 Pattabiram Cr.No.334/2025 and pass such further or other orders as this Honorable Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner(s): M/S. D. Senthil

For Respondent(s): M/S. LEONARD ARUL JOSEPH SELVAM
ADDITIONAL PP



ORDER

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The petitioner has filed this petition seeking modification of the order passed by the Judicial Magistrate – II, Tiruvallur, in a petition filed by the petitioner for return of property.

2. The petitioner who is the owner of the vehicle – ‘JCB’ bearing Reg.No.TN-12-X- 0645 which was seized by the respondent in view of the case registered in Cr.No.334/2025, had filed a petition in Cr.M.P.No.203/2026 seeking return of property. The learned Judicial Magistrate – II, Tiruvallur, by an order dated 25.03.2026, ordered interim custody of the said vehicle in favour of the petitioner with certain conditions and one of the conditions is that the petitioner has to execute a bond for Rs.30,00,000/- and the other condition is that the Original Registration Certificate of JCB in the name of the petitioner has to be surrendered.

3. The contention of the petitioner is that the said vehicle itself is valued only Rs.5,00,000/-, however, the lower Court has imposed a condition to execute bond for a sum of Rs.30,00,000/- which is onerous. Further, the Original Registration Certificate has to be kept along with the vehicle as it would be verified by the Police Officials or the Transport Authorities during inspection.



4. The learned Public Prosecutor submitted that the petitioner is the owner of the said vehicle and he is not an accused in this case.

5. The learned counsel for the petitioner submitted that the petitioner is ready and willing to execute bond for a sum of Rs.25,000/- as a condition for interim custody of the said vehicle.

6. Considering the submissions, this Court modifies Condition Nos.6(i) & (ii) imposed in the order dated 25.03.2026 in Cr.M.P.No.203/2026 in Cr.No.334/2025 on the file of the Judicial Magistrate – II, Tiruvallur to the following extent:

“6 (i). The petitioner is directed to execute bond for a sum of Rs.25,000/- (Twenty Five Thousand only) with two sureties to the satisfaction of the lower Court.

6 (ii). The petitioner shall produce the photocopies of the Original Registration Certificate with his self-attestation. On production of the same, the Original Registration Certificate has to be handed over to the petitioner.”

7. The other conditions imposed in the order dated 25.03.2026 in Cr.M.P.No.203/2026 in Cr.No.334/2025 on the file of the Judicial Magistrate –



II, Tiruvallur, remains unaltered.

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8. In view of the above, this Criminal Original Petition is disposed.

10-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

BKN



To:

1. The Inspector of Police
Pattibaram Police Station,
Cr.No.334/2025

2. The Judicial Magistrate – II, Tiruvallur



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M.NIRMAL KUMAR, J.

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