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CRL OP No. 9371 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. 9371 of 2026

Suvitha

Petitioner(s)

Vs

State rep by
The Inspector of Police,
Pattabiram Police Station.
(Crime No.334/2025)

Respondent(s)

PRAYER: Criminal Original Petition filed under Section 528 of BNSS, to modify the conditions viz., 6(i)(ii) imposed by the Judicial Magistrate-II, Tiruvallur in CrI.MP.No.202 of 2026 dated 25.03.2026 in T9 Pattabiram Cr.No.334 of 2025 and pass such further or other orders.

For Petitioner(s): Mr.N.Sudharshan (through Video Conferencing)
for Mr.D.Senthil

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

ORDER

This Criminal Original Petition has been filed, seeking modification of the conditions viz., 6(i)(ii) imposed by the learned Judicial Magistrate-II, Tiruvallur in CrI.MP.No.202 of 2026 dated 25.03.2026 in T9 Pattabiram Cr.No.334 of 2025.



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

2.1. The petitioner is the owner of the vehicle, viz., Lorry bearing Reg.No.TN 16 Z 1567; Engine No.41F84165890 and Chasis No.MAT448066EAG06796. The said vehicle was seized by the respondent Police in connection with Crime No.334 of 2025 registered on the file of the respondent for the offences under Sections 303(2) and 326(a) of BNSS 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.202 of 2026, seeking interim custody of the vehicle. The learned Judicial Magistrate No.II, Tiruvallur, by order dated 25.03.2026, allowed the petition subject to the condition that the petitioner shall execute a bond for a sum of Rs.20,00,000/- (Rupees Twenty 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 that the condition imposed by the learned Magistrate is highly onerous, particularly considering that the vehicle is about seven years old. Hence, he seeks modification of the said condition.

4. 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.202 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.202 of 2026 dated 25.03.2026, as follows:-

“(i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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.”

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5. It is made clear that all other conditions imposed in Crl.M.P.No.202 of 2026 vide order dated 25.03.2026 shall remain unaltered.

6. 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,
Pattabiram Police Station.
(Crime No.334/2025)

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



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M.NIRMAL KUMAR J.
jd

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