



Crl.O.P.No.15815 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2026

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl. O.P. No. 15815 of 2026

Ganesh K.S.
(Promoter of Ganesh Enterprises)

... Petitioner

Vs.

State represented by
The Inspector of Police,
Pennalurpet Police Station,
Thiruvallur District.
(Crime No.53 of 2026)

... Respondent

Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to modify the condition in para5. (1.1) imposed in order dated 04.06.2026 in Crl.M.P.No.120/2026 on the file of District Munsif-cum-Judicial Magistrate at Uthukottai, Tiruvallur District that the petitioner shall execute a bond for a sum of Rs.5,00,000/- with two sureties, both the sureties should be a permanent residents within the jurisdiction of Thiruvallur District, amongst which one shall be a blood surety, for above sum.

For Petitioner : Mr. P. Chandrasekar

For Respondent : Mr. A. Amarnath,
Counsel for Government of Tamil Nadu
(Crl.Side)



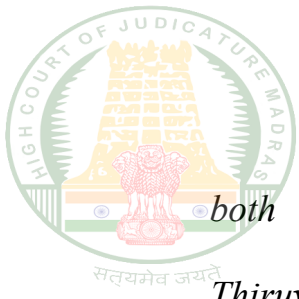
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ORDER

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This Criminal Original Petition has been filed seeking modification of the condition in paragraph 5(1.1) of the order dated 04.06.2026 in Crl.M.P.No.120 of 2026 on the file of District Munsif-cum-Judicial Magistrate, Uthukottai, Tiruvallur District, directing the petitioner to execute a bond for a sum of Rs.5,00,000/- with two sureties, both the sureties should be a permanent residents within the jurisdiction of Thiruvallur District, amongst which one shall be a blood surety.

2. The learned counsel for the petitioner submitted that the petitioner, being the owner of Ashok Leyland lorry bearing Registration No.TN-18-CX-2499, which was seized in Crime No.53 of 2026 for offences under Sections 303(2), 326(a) of the BNS r/w Section 21(1) of the MMDR Act, filed a petition for return of property in Crl.M.P.No.120 of 2026. The District Munsif-Cum-Judicial Magistrate, Uthukottai, by order dated 04.06.2026, ordered the return of lorry subject to seven conditions. The petitioner is willing to comply with all the conditions except Condition No.1, whereby *he was directed to execute a bond for a sum of Rs.5,00,000/- with two sureties,*



both sureties should be a permanent resident within jurisdiction of Thiruvallur District. Amongst which one shall be the blood surety for above sum, to the satisfaction of this Court.

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2.1. According to the learned counsel, the said condition is onerous and the petitioner is unable to comply with the same. Consequently, although the order was passed on 04.06.2026, the petitioner has not been able to furnish sureties and secure the release of the vehicle. As a result, the vehicle has remained idle and its value is deteriorating day by day.

3. The learned Government Advocate for the respondent submitted that the petitioner is an accused and had permitted his driver to transport eight units of illicit river sand. However, he fairly submitted that no previous case is pending against the petitioner.

4. In view of the same, the Condition No.5(1.1) of the order, which reads as follows: *“The petitioner shall execute a bond for Rs.5,00,000/- (Rupees Five Lakhs only) along with two sureties. Both the sureties should be permanent resident within the jurisdiction of Thiruvallur District. Amongst which one shall be the blood surety for above sum to the*



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satisfaction of this Court” is modified to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- with one surety. All other conditions imposed in the order shall remain unaltered.

5. With the above direction, this Criminal Original Petition is disposed of.

23.06.2026

Neutral Citation: Yes/No
AT

To

- 1.The District Munsif-cum-Judicial Magistrate at Uthukottai,
Tiruvallur District.
- 2.The Inspector of Police,
Pennalurpet Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,
High Court of Madras.



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M.NIRMAL KUMAR, J.

AT

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