



Crl.R.C.(MD)No.1068 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **01.07.2026**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

Crl.R.C.(MD)No.1068 of 2026

Johnson

... Petitioner

Vs.

The State of Tamilnadu,
Rep. By the Sub Inspector of Police,
Kenikarai Police Station,
Ramanathapuram.
Crime No.230 of 2026

... Respondent

PRAYER : Revision filed under Section 438 r/w 442 of BNSS, 2023 to call for the records and set aside the first condition “1) The petitioner / complainant has to produce the bond for himself and two sureties worth about Rs.31,00,000/-” imposed by the learned Judicial Magistrate Court No.II, Ramanathapuram in Crl.M.P.No.544 of 2026 and allow the Criminal Revision Petition.

For Petitioner : Mr.A.R.Kannappan

For Respondent : Mr.C.Susikumar

Government Advocate (Crl.)



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ORDER

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Challenging Condition No. 1 imposed in the impugned order passed by the Judicial Magistrate No. II, Ramanathapuram, in Crl.M.P. No. 544 of 2026, the present Criminal Revision Case has been filed.

2. The petitioner is the victim in a theft case registered in Crime No. 230 of 2026, relating to the theft of 216 grams of gold jewellery allegedly committed by the accused persons. During the course of investigation, the stolen gold was recovered in a melted form, seized under a proper mahazar, and produced before the jurisdictional Magistrate.

3. Being the owner of the said gold jewellery, the petitioner filed an application under Sections 497 and 503 of BNSS before the learned Judicial Magistrate No. II, Ramanathapuram, seeking interim custody of the recovered gold. The respondent police also filed a no-objection statement consenting to the return of the property to the petitioner.

4. By the impugned order dated 24.06.2026, the learned Judicial Magistrate allowed the petitioner's application, but imposed certain conditions. Among them, Condition No. 1 required the petitioner to execute a personal



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bond and furnish sureties for a sum of Rs.31,00,000/-. Contending that the said condition is highly onerous, excessive, and legally unsustainable, the present Criminal Revision Case has been filed.

5. The learned counsel appearing for the petitioner, placing reliance on the order passed by this Court in *Darling Raj v. State of Tamil Nadu*¹ in *Crl.R.C.(MD) No. 610 of 2025*, dated **05.06.2026**, submitted that Condition No. 1 imposed in the impugned order is liable to be set aside. He, therefore, sought the indulgence of this Court to interfere only with the said condition.

6. The learned Government Advocate fairly submitted that the prosecution had filed a no-objection statement before the trial Court consenting to the return of the recovered jewellery to the petitioner.

7. This Court has dealt with the case in Crl.OP.No.14242 of 2024 by order dated 20.06.2024, holding that the question of requiring the petitioner to produce a bond or solvency certificate would arise only in the case of bail and not in the case of return of property. The conditions insisting for a solvency certificate or bond under Chapter III of the Rules of Practice, 2019 is all about bail and surety, and such a condition may not apply in case of return of property pending enquiry.

¹ Crl.RC(MD)No.610 of 2025 dated 05.06.2026



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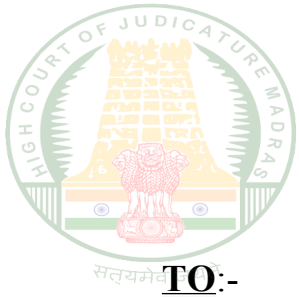
8. Fully fortified by the aforesaid judgment, the first condition imposed by the learned Judicial Magistrate Court No.II, Ramanathapuram in Crl.M.P.No.544 of 2026 is hereby set aside. However, it is made clear that all the other conditions imposed by the learned Judicial Magistrate shall remain unaltered and shall be complied with by the petitioner in their letter and spirit.

9. With such observations, this Criminal Revision Case is allowed.

01.07.2026

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 02.07.2026.



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TO:-

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1. The Inspector of Police,
Kenikarai Police Station,
Ramanathapuram.
- 2.The Judicial Magistrate Court No.II, Ramanathapuram.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

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Order made in
Crl.R.C.(MD)No.1068 of 2026

Dated
01.07.2026