



**IN THE COURT OF XVII METROPOLITAN MAGISTRATE/  
XVII JUDICIAL MAGISTRATE, SAIDAPET, CHENNAI.**

**Present: Thiru.K.Ramkumar, M.L.,  
XVII Metropolitan Magistrate/XVII Judicial Magistrate, Saidapet.**

Saturday, the 01<sup>st</sup> day of August 2026

**CrI.M.P.No.4670/2026  
(CNR.No.TNCH0C-010712-2026)**

Sumathi,  
W/o.Arul,  
Virugambakkam,  
Chennai.

.... Petitioner/Property owner

-Vs-

State represented by  
Sub Inspector of Police  
F5 Choolaimedu Police Station,  
Chennai.  
Cr.No.351/2026.

.... Respondent/Prosecution

This petition came up for hearing before me on 01.08.2026, Learned counsel Mr.A.S.Selvam appeared for petitioner, Learned Assistant Public Prosecutor Grade -I appeared for respondent and upon hearing both side, pursuing the records, this Court passed the following :-

**ORDER**

This petition filed u/s.497 & 503 BNSS praying interim custody of Yamaha two wheeler bearing registration number TN-10 BX-5488 to the petitioner.

2. The learned counsel for the petitioner submitted that petitioner is the owner of the two wheeler. Further submitted that if the two wheeler kept in open place, will be destroy by sun and rain. Further submitted that petitioner is ready to obey any condition imposed by this Court. Hence, prays allow the petition.



3. On behalf of the respondent submitted no objection to this petition.

4. The point for determination is whether the petition is allowable or not?

5. Heard both sides. Records perused. The case of the prosecution is, on 26.06.2026 at wee hours, the accused stolen milk packets along with trays owned to the defacto complainant. Hence, FIR was registered in Cr.No.351/2026 U/s.303(2) BNS. Thereafter accused was arrested and property was recovered. The property was produced before this Court and numbered in B.No.1083/2026. At this juncture, this application is filed by the petitioner seeking interim custody of two wheeler.

6. Considering facts of the case, considering that petitioner is owner of the two wheeler, considering that if the two wheeler kept in open place will be destroy by sun and rain, considering that petitioner is ready to obey the condition imposed by this Court, considering that photograph of the property is enough for the trial, considering the order passed by the Hon'ble Supreme Court of India in Sundarbai Ambala -Vs- State Gujarat, this Court is inclined to grant interim custody of the Yamaha two wheeler bearing registration number TN-10 BX-5488 numbered in B.No.1083/2026 to the petitioner on the following conditions,

- (a) The petitioner should execute personal bond for Rs.20,000/- with one surety for same amount to the satisfaction of this Court.
- (b) The petitioner should produce the photograph of the case property to this Court.
- (c) The petitioner should not transfer, sale, alienate or pledge the two wheeler without permission of this Court. The petitioner should not alter or tamper the case property.
- (d) The petitioner should produced the two wheeler during trial, as and when directed by the Court.



In fine, on the above said conditions, this petition is allowed.

Dictated by me to the Steno-typist and typed by her and corrected and pronounced by me in the open Court on this the 01<sup>st</sup> day of August 2026.

XVII Metropolitan Magistrate/  
XVII Judicial Magistrate,  
Saidapet, Chennai.