

**IN THE COURT OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.**

Present: **Tmt. G. VIJAYA, B.A., M.L., PGDCFS**
Principal District & Sessions Judge, Coimbatore.

Monday, this the 27th day of April, 2026

(திருவள்ளூர்வராண்டு, 2057, பராபவ ஆண்டு சித்திரை திங்கள் 14-ஆம் நாள் திங்கட்கிழமை)

Criminal Revision Petition No.22/2026
(CNR No.TNCB010017302026)

Karthik (44)
S/o.Subramaniam,
D.No.15/8, Arun Nagar East,
TVS Nagar, Coimbatore - 641 025. ... Petitioner / Owner of the property

//vs//

The State Inspector of Police,
Vadavalli Police Station,
Coimbatore.
Crime No.426/2025
u/s.329(4), 308, 62 and 204 of BNS ... Respondent

This Criminal Revision Petition came up on 25-03-2026 before this Court for final hearing in the presence of **Thiru.R.Kannathasan**, Advocate for the petitioner / owner of the property and **Thiru.V.Ravichandran, Public Prosecutor**, represented for State and upon hearing both side arguments, perusing the relevant documents and having stood over for consideration till this day, this Court passes the following:-

ORDER

This Criminal Revision Petition has been filed by the Revision Petitioner u/s.438 r/w 440 of BNSS, praying to modify one of the conditions [regarding the quantum of bond amount] of the order passed by the learned Judicial Magistrate No.6, Coimbatore in C.M.P.No.10680/2025, in Crime No.426/2026, dated 13-02-2026.

2. Averments stated in the affidavit in support of the petition filed by the petitioner, u/s.503 of BNSS, Act before the learned Trial Court are in brief as follows:-

The respondent police registered a case in Crime No.426/2025 for the offence u/s.329(4), 308, 62 and 204 of BNS Act, 2023. The petitioner herein is arrayed as A-3 and he is the owner of the vehicle involved in this case. The petitioner is the owner of the Jaguar Land Rover India Limited vehicle bearing Reg.No.TN 07 CM 1888, vehicle Engine No.1050409306DT, Diesel, Chasis No.SALWA2FE8GA105615, Colour Fuji White. The petitioner is the third owner of the above said vehicle and he purchased the said vehicle for sale from its owner and obtained documents. The petitioner is in possession of original RC Book. The petitioner is ready to give substantial sureties and also ready to produce the above said vehicle whenever required by the Court if released on condition. Further petitioner's mobile [I Phone 14 Pro Max] has been implicated in this case. The petitioner is ready to give substantial sureties and

ready to produce the I Phone 14 Pro Max as and when required by the Court. If the above said vehicle and mobile were not returned to the petitioner, the petitioner will be put to hardship and irreparable loss and prays to allow the petition.

3. Before the learned Trial Court, the Prosecution side raised objection not to grant interim custody of the vehicle to the petitioner stating that investigation in this case is not yet completed and if the petition mentioned vehicle and mobile phone are returned to the petitioner, he may alter the same and prays to dismiss the petition.

4. After considering the submissions made by both sides, the learned Trial Judge has dismissed the petition. Aggrieved over the same, the petitioner has filed the present revision petition.

5. **In this criminal revision petition, the following grounds are raised by the revision petitioner:-**

The learned Trial Judge has imposed onerous condition i.e., to execute a bond for Rs.50,00,000/- is excessive and arbitrary. The petitioner / owner of the property is unable to furnish two sureties for such high sum, effectively denying him the benefit of the order. As per the guideline in **Sundarbhai Ambalal**

Desai Vs State of Gujarat, the primary objective is to protect the property, not to impose conditions that the accused cannot meet. The petitioner is the rightful owner and has already agreed to conditions regarding non-alienation and production of the property as and when required. Assessing the actual current market value or the financial capacity of the petitioner before fixing such a massive bond amount and prays to allow the criminal revision petition.

6. The learned Public Prosecutor filed counter. In the counter, it is contended that the petitioner has not produced any documentary proof to reduce the amount of Rs.50,00,000/- as surety value to be executed by him along with two sureties for like sum. The value of the properties i.e., Range Rover Sport HSC V6 car will be between Rs.1.27 crores to RS.2.19 crores and the cell phone will fetch minimum value of Rs.55,000/- which are used in the present office in Crime No.426/2025 for the offence u/s.329(4), 308, 62 and 204 of BNS. Considering the value of the above said two properties, the learned Trial Judge has imposed a reasonable condition of Rs.50,00,000/- as bond value with two sureties like sum each and there is no necessity for modify the same. Further the petitioner was an erstwhile police man having 6 previous cases and most of the cases are similar in nature including one murder case spread over 5 police stations of different locations in Tamil Nadu and he is arrayed as A-3 in this case. Under the above said circumstance, if the petition mentioned car and mobile phone are returned to this petitioner, there is every likelihood to use the

same for committing for further criminal activities also and prays to dismiss the petition.

7. **Point for consideration in this petition is that,**

“Whether the condition regarding the quantum of bond amount mentioned in the order in C.M.P.No.10680/2025, in Crime No.426/2025, dated 13-02-2026, passed by the learned Judicial Magistrate No.6, Coimbatore, is to be modified or not?”

POINT:-

8. Heard both sides and perused the relevant records. The revision petitioner who, is the owner of the vehicle i.e., Range Rover white color car bearing Reg.No.TN 07 CM 1888 and Apple I Phone 14 Pro [gray color]. The above said two properties have been seized by the respondent police in connection with the case in Crime No.426/2025, for the offence u/s.329(4), 308 r/w 62 and 204 of BNS. Thereafter, the petitioner herein filed a petition in C.M.P.No.10680/2025, u/s.503 of BNSS Act, before the learned Judicial Magistrate No.6, Coimbatore, praying to return the above said two properties as interim custody to him. The learned Judicial Magistrate concerned vide order dated 13-02-2026, allowed the said petition with certain condition that the petitioner shall execute a bond for Rs.50,00,000/- along with two sureties for the above sum. Against the dismissal order, the petitioner has preferred this criminal revision petition, praying to modify the quantum of bond amount.

9. The learned counsel for the revision petitioner has argued that the revision petitioner is the owner of the petition mentioned properties and the learned Judicial Magistrate concerned passed onerous condition directing the petitioner to execute a bond for a sum of Rs.50,00,000/- along with two sureties for the like sum. The revision petitioner is not in a position to comply the above said condition and, if the quantum of bond value is not modified the petitioner is not able to enjoy the benefit granted to him and prays to modify the quantum of bond value.

10. Whereas, the learned Public Prosecutor vehemently opposed to allow the revision petition, and argued that, the value of the properties i.e., Range Rover Sport HSC V6 car will be between Rs.1.27 crores to RS.2.19 crores and the cell phone will fetch minimum value of Rs.55,000/- which are used in the present office in Crime No.426/2025 for the offence u/s.329(4), 308, 62 and 204 of BNS and considering the value of the above said two properties, the learned Trial Judge has imposed a reasonable condition of Rs.50,00,000/- as bond value with two sureties like sum each and there is no necessity for modify the same. The learned Public Prosecutor has further argued that, the petitioner was an erstwhile police man having 6 previous cases and most of the cases are similar in nature including one murder case spread over 5 police stations of different locations in Tamil Nadu and he is arrayed as A-3 in this case and in the above said circumstance, if the petition mentioned car and mobile phone are returned

to this petitioner, there is every likelihood to use the same for committing for further criminal activities also and prays to dismiss the petition.

11. This Court has given its anxious consideration on the rival submissions of both the parties. The case of the prosecution is that, the defacto complainant is working in an electronic company which is involved in manufacturing and sales of CCTV camera and security alarm. On 12-09-2025, after completing his work, the defacto complainant came to his house at about 6.30 p.m., At about 6.45 p.m., the defacto complainant heard door knocking sound and he opened the door and two unknown persons were standing and they are posing themselves as police officials and informed that they wanted to enquire the defacto complainant. The defacto complainant asked them to come to the nearby police station and he is ready for enquiry and all of a sudden, one of the person locked the door and both of them threatened the defacto complainant and asked him to give the jewels and at that time, the defacto complainant went to another room and locked the door and raised alarm. On seeing the same, the accused flew away from that place. Thereafter, the nearby people came and rescue the defacto complainant and subsequently the defacto complainant lodged complaint and based on the same, the respondent police registered the case in Crime No.426/2025, for the offence u/s.329(4), 308, 62 and 204 of BNS. During the course of investigation, the respondent police seized the petition mentioned properties from the accused.

12. According to the petitioner, he is the owner of the petition mentioned properties i.e., Range Rover white color car bearing Reg.No.TN 07 CM 1888 and Apple I Phone 14 Pro [gray color]. The respondent police seized the above said two properties in connection with the present case. Thereafter, the petitioner filed a petition, praying to return the said two properties as interim custody and on 13-02-2026, the learned Judicial Magistrate No.6, Coimbatore, allowed the said petition with the following conditions:-

- “1. The petitioner shall execute a bond for Rs.50,00,000/- along with two sureties for the above sum.
2. The petitioner shall produce the photos for the property. The photos of the property to be attested by the petitioner, and to be identified by the counsel for petitioner and investigation officer and shall attested by the head clerk of this Court.
3. Panchanama should be prepared as per criminal rules of practice.
4. The petitioner shall also produce the property as and when ordered by this Court.
5. The petitioner shall not sell or alter or in any way encumber the property, until the period of appeal / revision for the case is over.”

The revision petitioner has preferred the present criminal revision petition, praying to modify the quantum of bond amount mentioned in condition No.1.

13. Now according to the revision petitioner, the learned Judicial Magistrate concerned imposed onerous condition while fixing the bond value and the petitioner is not in a position to execute such a high sum and due to which, the petitioner is not able to enjoy the benefit of the order passed in his favour and prays to modify the quantum of bond amount. Whereas, the learned Public Prosecutor contended that considering the value of the properties, the learned Trial Judge has imposed a reasonable condition of Rs.50,00,000/- as bond value with two sureties like sum each and there is no necessity for modify the same and moreover the petitioner was an erstwhile police man having 6 previous cases and most of the cases are similar in nature including one murder case.

14. Though the petitioner is having involved in other cases, admittedly, in this case, during investigation, the respondent police seized petitioner's car and I Phone from the petitioner and the above said two properties have been produced before the learned Judicial Magistrate No.6, Coimbatore and remanded in PR No.271/2025 and the learned Judicial Magistrate concerned has passed an order to return the above said two properties to the petitioner as interim custody with some conditions. The revision petition has filed the present revision petition, praying to modify the quantum of bond amount. On perusal of records, it reveals that though the concerned police has seized the disputed vehicle from the petitioner herein, however, as per the arguments of the petitioner, he has purchased it from the original owner and document is yet

to be transferred in his name and the original owner has submitted an affidavit before the learned Judicial Magistrate stating that he has no objection for handing over the disputed vehicle to the petitioner. In this aspect, the learned Public Prosecutor has also no serious objection. Taking into consideration of all the above, this Court is of the considered view that the condition imposed by the learned Judicial Magistrate concerned, regarding the quantum of bond amount for sureties, is alone liable to be set aside. Point is answered accordingly.

In the result, this Criminal Revision Petition is partly allowed and the condition No.1 in the order passed by the learned Judicial Magistrate No.6, Coimbatore in C.M.P.No.10680/2025, in Crime No.426/2026, dated 13-02-2026, is hereby modified in the following manner:-

“1. The petitioner shall execute a bond for **Rs.50,00,000/-**
[Rupees Fifty Lakhs only] along with two sureties for a sum
of **Rs.20,000/-**. [Rupees Twenty Thousand only]”

The other conditions imposed by the learned Judicial Magistrate No.6, Coimbatore shall stand good and the petitioner shall comply the same.

This order is dictated to steno-typist directly, typed by her in computer, corrected and pronounced by me, the order in open Court, on this the 27th day of April, 2026.

PRINCIPAL DISTRICT & SESSIONS JUDGE,
COIMBATORE.

LIST OF WITNESSES EXAMINED ON BOTH SIDES:- NONE

LIST OF DOCUMENTS MARKED ON BOTH SIDES:- NIL

PD & SJ.,
CBE.

Copy to:-

The Judicial Magistrate No.6,
Coimbatore.

//True copy//

Draft order in
C.R.P.No.22/2026
Dated:27-04-2026.