

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P. No.12981 of 2015

P.Ashok Kumar

... Petitioner

Vs.

State by,
Inspector of Police,
Economic Offences Wing No.II,
Coimbatore District.
(Crime No.6 of 2013)

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the condition imposed by the learned Principal District & Sessions Judge (I Additional District & Session Judge), Coimbatore in Crl.M.P.No.1232 of 2015 dated 30.04.2015 as this petitioner should deposit a sum of Rs.2,00,000/- before the said Court.

For Petitioner : Mr.R.Vijayakumar

For Respondent : Mr.M.Mohamed Riyaz
Govt. Advocate (Crl.side)

O R D E R

The present petition has been filed to modify the condition imposed by the learned Special Judge, Special Court under TNPID Act Cases, Coimbatore, in Crl.M.P.No.1232 of 2015, dated 30.04.2015.

2. While granting bail, one of the conditions imposed by the learned Special Judge, Coimbatore, is that the petitioner should deposit a sum of Rs.2,00,000/- before the Special Judge, Coimbatore. Aggrieved over the said condition, the present petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner was not in a position to deposit a sum of Rs.2 lakhs.

Though the bail was granted as early as on 30.04.2015 till today they were not able to come out on bail because of the onerous condition imposed by the learned Special Judge, Coimbatore.

4. Learned Government Advocate (Crl.side) vehemently opposed to relax the condition.

5.However, considering the fact that the entire properties and assets were seized by the respondent, I am of the opinion that the condition imposed by the court below could be modified.

6. Accordingly, the condition imposed on the petitioner in C.M.P.No.1232 of 2015 dated 30.04.2015, passed by the learned Special Judge, Special Court under TNPID Act Cases, Coimbatore, is modified to the effect that "instead of the petitioner depositing a sum of Rs.2,00,000/- before the Special Judge, Special Court under TNPID Act Cases, Coimbatore, the petitioner shall deposit a sum of Rs.1,00,000/- before the Special Judge, Special Court under TNPID Act Cases, Coimbatore". All the other conditions imposed in the order passed in Crl.M.P.No. 1232 of 2015 dated 30.04.2015 by the learned Special Judge, Special Court under TNPID Act Cases, Coimbatore, remain unaltered.

7. With the above modification, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To,

1. The Special Judge, Special Court under TNPID Act Cases, Principal District & Sessions Judge, Coimbatore
2. The Public Prosecutor, High Court, Chennai.
3. The Inspector of Police, Economic Offence Wing - II Police Station, Coimbatore.

+1cc to Mr.R.VijayaKumar, Advocate, S.R.No.9821

CRL. O.P. NO.12981 OF 2015

TM(CO)

CA(11/06/2015)