

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2015

CORAM:

THE HON'BLE MR.JUSTICE B.RAJENDRAN

Crl.O.P.No.27685 of 2015

M.Saravanan

... Petitioner/Accused

VS

State represented by
The Inspector of Police,
EOW-II Police Station
Salem District.

... Respondent/Complainant

Prayer: Petition filed under Section 482 of the Code of Criminal Procedure Code, to modify the condition imposed by the learned Special Judge, Special Court under TNPID Act Court Cases, Coimbatore dated 13.10.2015 in Cr.M.P.No.2237 of 2015 in C.C.No.13 of 2015.

For Petitioner :Mr.S.Ramajayam

For Respondent :Mr.Mohammed Riyaz
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to modify the condition imposed by the learned Special Judge, TNPID Act Court Cases, Coimbatore dated 13.10.2015 in Cr.M.P.No.2237 of 2015 in C.C.No.13 of 2015.

2. The learned Magistrate while granting bail to the petitioner imposed the following conditions:

"(i) The petitioner shall deposit a sum of Rs.4 lakhs [Rupees four lakhs] on the file of this Court.

(ii) Out of this Rs.4 lakhs, the petitioner shall deposit a sum of Rs.2 lakhs on or before 27.10.2015 and the remaining Rs.2 lakhs shall be paid on or before 17.11.2015.

(iii) Further, the petitioner shall execute the bond of Rs.1 lakh [Rupees one lakh] with two sureties for a like sum. The petitioner shall appear before this Court at 10.30 a.m on every Monday, Wednesday and Friday on all working

days until further orders. If the petitioner not obey the condition imposed by this Court, the bail will be ceased to effect from the date."

3.The learned counsel for the petitioner submitted that the condition imposed by the Court below is onerous and that the petitioner is not able to mobilise the huge amount of Rs.4 lakhs as ordered to be deposited by the court below. He would further submit that the petitioner is not in any way connected with the offence. Therefore, he would pray for modification of the said condition or in the alternative to extend the time granted to deposit the said amount.

4.Heard the learned Government Advocate (Crl.Side) appearing for the State.

5.Considering the facts and circumstances of the case, the condition Nos.(i) and (ii) imposed by the Court below is modified to the effect that the petitioner shall deposit the entire sum of Rs.4,00,000/- [Rupees four lakhs only] as ordered by the Court below on the file of the Special Judge, TNPID Act Court Cases, Coimbatore to the credit of C.C.No.13 of 2015 on or before 31.12.2015. It is further made clear that if the petitioner fails to comply with the order passed by this Court, this order will not enure to the benefit of the petitioner. Except this modification, the other conditions imposed on the petitioner by the Court below, shall remain unaltered.

6.With the above modification, this criminal original petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

vj2

To

1. The Special Judge, TNPID Act Court Cases, Coimbatore

2. The Inspector of Police,
EOW-II Police Station
Salem District.

3. The Public Prosecutor, Madras

+1 cc to Mr.S.Ramajayam, Advocate, sr.66389

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pvr co
kra 30.12.2015