



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 04.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Cr1.O.P. (MD) .No.13421 of 2015

Mr.Masi

... Petitioner

Vs.

State of Tamil Nadu represented by
the Inspector of Police (Crime),
Srirangam Police Station,
Trichy.

... Respondent

PRAYER: This petition is filed under Section 439 (2) of Cr.P.C., to modify the condition and to set aside the order dated 01.07.2015 passed by the Principal Sessions Court, Trichy in Cr.M.P.No.1605 of 2015 partly confirming the order dated 17.06.2015 passed by the Judicial Magistrate No.3, Trichy in Cr.M.P.No.3567 of 2015 directing the petitioner to deposit title deeds of a property having Rs.25 lakhs worth and let the petitioner on bail.

For Petitioner : Mr.P.Sesubalan Raja
For Respondent : Mrs.S.Prabha
Govt. Advocate (Cr1.side)

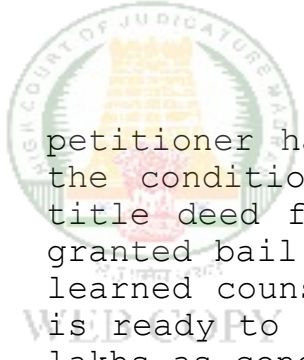
O R D E R

The petitioner is the sole accused in Crime No.685 of 2015 on the file of the respondent was arrested on 02.06.2015 for the alleged offences under Section 420 of I.P.C.

2. According to the prosecution, the accused was running an unregistered chit and collected Rs.21,90,000/- from the public, but failed to pay the amount after the completion of the chit transaction.

3. The learned Judicial Magistrate No.III, Trichirapalli granted bail to the petitioner on 17.06.2015 in Cr.M.P.No.3567 of 2015 with a condition to deposit Rs.25 lakhs or furnish immovable property security for Rs.25 lakhs. The order was challenged by the petitioner before the Principal Sessions Judge, Trichirapalli in Cr.M.P.No.1605 of 2015. The learned Sessions Judge on 01.07.2015, has deleted the condition of deposit of Rs.25 lakhs as cash while retaining the other conditions.

4. Mr.P.Sesubalan Raja, learned counsel for the petitioner submitted that the petitioner is working as a sweeper in Srirangam and he was not running a chit as alleged by the de-facto complainant and it is further submitted that even as per the complaint, the



petitioner has received Rs.5 lakhs from the de-facto complainant and the condition to deposit the amount of Rs.25 lakhs or deposit the title deed for Rs.25 lakhs is onerous condition and despite he was granted bail on 17.06.2015, he is not able to come out from bail. The learned counsel for the petitioner also submitted that the petitioner is ready to furnish immovable property security for the value of Rs.5 lakhs as condition for granting bail.

5. Heard the learned Government Advocate (Crl.side).

6. Considering the period of incarceration and the submission of the learned counsel for the petitioner, this Court is inclined to modify the condition that the petitioner is directed to furnish immovable property security for Rs.5 lakhs and comply the other conditions.

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

Sd
ASST REGISTRAR (P AND A)

TRUE COPY

SUB ASST REGISTRAR

akv

To

- 1 The Principal Sessions Judge, Principal Sessions Court, Trichy.
- 2 The Judicial Magistrate No.3, Trichy.
3. The Inspector of Police (Crime),
Srirangam Police Station, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1cc TO MR. P. SESUBALAN RAJA, ADV SR: 43771

RG 4 8 15 - 2P 6C

Crl.O.P.(MD).No.13421 of 2015