



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

CrI.O.P.(MD)No.7530 of 2015

Kannan

... Petitioner/Sole Accused

Vs.

State rep. by
The Inspector of Police,
Adhirampattinam Police Station,
Thanjavur District.
Crime No.49/15

... Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the condition imposed on the petitioner in so far as the deposit of Rs.50,000/- alone in Cr.M.P.No.704 of 2015 dated 03.03.2015 on the file of the Learned Principal District and Sessions Judge, Thanjavur and pass such order.

For Petitioner : Mr.R.Shankar Ganesh

For Respondents : Mr.K.Anbarasan
Government Advocate (CrI.side)

O R D E R

The Criminal Original Petition has been filed to set aside the condition imposed on the petitioner insofar as the deposit of Rs.50,000/- alone in Cr.M.P.No.704 of 2015 dated 03.03.2015 on the file of the Learned Principal District and Sessions Judge, Thanjavur.

2. The learned Counsel for the petitioner submitted that the order passed is onerous. In spite of the fact that the petitioner has been in judicial custody from 23.02.2015 onwards, he is unable to come out as the condition imposed could not be complied.

3. Considering the submission made and taking note of the principles governing granting of bail, this court is of the view that once this court is convinced for granting of bail, an onerous condition which would defeat the very said order cannot be sustained.



4. Accordingly, the condition imposed on the petitioner insofar as the deposit Rs.50,000/- (Rupees fifty thousand only) in CrI.M.P.No.704 of 2015 dated 03.03.2015 on the file of the Learned Principal District and Sessions Judge, Thanjavur, is set aside and this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(Per.Admn.)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Thanjavur.

2.The Inspector of Police,
Adhirampattinam Police Station,
Thanjavur District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.R.Shankar Ganesh,Advocate, SR.No.20835

CrI.O.P. (MD)No.7530 of 2015
22.04.2015

pjl/akv
PA/23.04.2015/2P/5C(IT)