



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.06.2015
CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

WEB COPY

Cr1.O.P (MD) No.9472 of 2015

R.Paramesh

.. Petitioner

Vs.

The State rep by
The Inspector of Police,
Economic Offences Wing-II,
Madurai City,
Crime No.5 of 2014

.. Respondent

PRAYER:Criminal Original Petition filed under Section 482 Cr.P.C., praying to modify the condition in Cr.M.P.No.980 of 2015 dated 15.05.2015 imposed by the learned special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 Madurai to the petitioner in connection with Crime No.05 of 2014 on the file of the respondent police.

For Petitioner :Mr.V.Thirumal

For Respondent :Mr.A.P.Balasubramani
Government Advocate(Crl.side)

ORDER

This application is filed seeking modification of the condition imposed in Cr.M.P.No.980 of 2015 by the special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 Madurai.

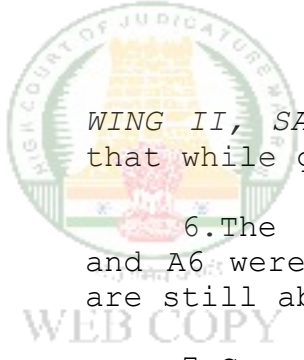
2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the State.

3.The petitioner, who is arrayed as A1 in Crime No.05 of 2014, seeks modification of the condition imposed by the special Court under the Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 Madurai. The petitioner was released by the trial Court on statutory bail under Section 167(2) of the Code of Criminal Procedure, imposing condition to deposit a sum of Rs.3,00,000/- to the credit of the Crime No.05 of 2014 and execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum.

4.The learned counsel for the petitioner submitted that the condition to deposit Rs.3,00,000/- is onerous and despite the petitioner was released on statutory bail on 15.05.2015, he is not able to come out.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The learned counsel has relied upon the judgment in *S.SHANMUGAM V. STATE OF TAMIL NADU, REP BY SUB INSPECTOR OF POLICE, ECONOMIC OFFENCES*



WING II, SALEM, reported in (2007) 2 MLJ (Cr1) 60, for the proposition that while granting statutory bail, the Court shall not impose condition.

6.The learned Government Advocate (Cr1.side) would submit that A4 and A6 were already arrested and released on bail and the other accused are still absconding.

7.Considering the facts and circumstances of the case, this Court is inclined to modify the condition that the petitioner to deposit a sum of Rs.3,00,000/- alone is deleted and the other condition shall remain unaltered.

With the aforesaid modification, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(CO)

\\True copy\\

Sub Assistant Registrar

To

1.The Special Judge,special Court under The Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997) Madurai.

2.The Inspector of Police, Economic Offences Wing-II, Madurai City,

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

+1CC TO M/S.V.THIRUMAL, ADVOCATE SR.NO.26606

Cr1.O.P(MD)No.9472 of 2015
01.06.2015

NS

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