

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.O.P.No.21884 of 2016

T.Eswara Moorthy

...Petitioner/ Accused

Vs.

The Inspector of Police,
EOW-II, Coimbatore.

.... Respondent/ Complainant

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to modify the bail conditions imposed in order dated 09.05.2016 in Crl.MP No.1255 of 2016 and modified in order dated 12.07.2016 made in Crl.O.P.No.1950 of 2016, on the file of the Special Court under TNPID Act Cases, Coimbatore, in so far as the condition of deposit of further sum of Rs.2.00 lakhs is concerned.

For Petitioner : M/s.N.Anand Venkatesh

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to modify the bail conditions imposed in order dated 09.05.2016 in Crl.MP No.1255 of 2016 and modified in order dated 12.07.2016 made in Crl.O.P.No.1950 of 2016, on the file of the Special Court under TNPID Act Cases, Coimbatore, insofar as the condition of deposit of further sum of Rs.2.00 lakhs.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that this petitioner was granted interim bail by order dated 12.07.2016 in Crl.M.P No.1950 of 2016 in C.C.No.18 of 2014 by the Special Court for TNPID Act Cases, Coimbatore, on condition that he should deposit a sum of Rs.2,00,000/- (Rupees two lakhs only) within a stipulated time. Since the petitioner was not able to mobilize the amount, he approached this Court by filing the present petition and this Court, by an interim order dated 26.09.2016, permitted the petitioner to deposit a sum of Rs.2,00,000/- (Rupees two lakhs

only) within a period of two weeks from the date of receipt of a copy of the said order.

4. Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that the petitioner has not been able to mobilize the said sum.

5. In view of the above, the petitioner is directed to surrender before the Special Court for TNPID Act Cases, within one week from the date of receipt of a copy of this order and apply for regular bail after being sent to custody. If the petitioner does not surrender before the TNPID Court, it is open to the respondent police to arrest him and produce him before the TNPID Court, Coimbatore. It is open to the Special Court for TNPID Cases to consider the bail application afresh and grant bail on merits unconditionally.

With the above directions, the Criminal Original Petition is closed.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

kmi

To

1. The Inspector of Police,
EOW-II, Coimbatore.

2. The Special Judge
Special Court
under TNPID Act Cases
Coimbatore

3. The Additional Public Prosecutor,
High Court, Madras.

1 cc to Mr.N. Anand Venkatesh, Advocate, Sr. 58796

Cr1.O.P.No.21884 of 2016

UG (CO)
kk 26/10