

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.24115 of 2016

Shanthi

... Petitioner

Vs

State by
The Inspector of Police
District Crime Branch
Coimbatore.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to modify the condition imposed by the Learned Principal District and Sessions Judge at Coimbatore in CMP No.1014/2016 by order dated 22.04.2016 while granting bail to the petitioner that to deposit a sum of Rs.1,30,000/- each to the credit of the same in Crime No.129/2014 of D.C.B. before the Judicial Magistrate, Valparai.

For Petitioner : Mr.Shankar
for M/s.S.Shanthakumari
For Respondent : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to modify the condition imposed by the learned Principal District and Sessions Judge at Coimbatore in CMP No.1014/2016 by order dated 22.04.2016 while granting bail to the petitioner and to deposit a sum of Rs.1,30,000/- each to the credit of the same in Crime No.129/2014 of D.C.B. before the Judicial Magistrate, Valparai.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the State.

3. On the complaint lodged by Kasthuri, the respondent police registered a case in Crime No.129 of 2014 and arrested the petitioner. The petitioner was granted bail by the Principal District and Sessions Judge, Coimbatore on 22.04.2016 in C.M.P.No.1014 of 2016 on condition that she should deposit a

sum of Rs.1,30,000/- before the Judicial Magistrate, Valparai. Challenging the said condition, the petitioner is before this Court.

4. Learned Additional Public Prosecutor strongly objected to the modification of the order.

5. The fact remains that the petitioner was granted bail as early as on 22.04.2016 and the petitioner was not able to enjoy the fruits of the bail since then.

6. Taking into consideration all these aspects, the deposit amount of Rs.1,30,000/- is reduced to Rs.25,000/-. Rest of the conditions imposed by the Principal District & Sessions Judge, Coimbatore shall remain the same.

7. Learned counsel appearing for the petitioner submitted that the petitioner's husband Prabakaran had deposited Rs.1,30,000/- before the Judicial Magistrate, Valparai. The Judicial Magistrate is directed to re-deposit the sum of Rs.1,30,000/- and Rs.25,000/- separately in Fixed Deposit in any Nationalised Bank, thereby the account will accrue interest and it is open to the trial Court to pass appropriate orders with regard to the disbursing of the amount at the end of the trial.

With the above modification, this petition is ordered.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Principal District and Sessions Judge, Coimbatore.
2. The Inspector of Police District Crime Branch, Coimbatore.
3. The Public Prosecutor, High Court, Madras.
4. The Judicial Magistrate Valparai

+1 cc to Mr.S.Shanthakumari Advocate sr 62331

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