

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.24304 of 2016

Perajhon

.. Petitioner

Vs.

State rep by

The Inspector of Police,
Morappur Police Station,
Dharmapuri District.
Crime No.158 of 2016

.. Respondent

Prayer : Criminal Original Petition filed under Section 439(1) (b) of the Code of Criminal Procedure praying to modify the condition imposed to deposit Rs.50,000/- into the Court in Crl.MP.No.1747 of 2016 in Crime No.158 of 2016 dated 20.10.2016 on the file of the Principal Sessions Judge, Dharmapuri.

For Petitioner : Ms.M.S.Rojashree

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to modify the condition imposed in Crl.MP.No.1747 of 2016 in Crime No.158 of 2016 dated 20.10.2016 on the file of the Principal Sessions Judge, Dharmapuri.

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

3. It is seen that this petitioner has been granted anticipatory bail in Crl.MP.No.1747 of 2016 on 20.10.2016 for the offence under Section 380 IPC on condition that he should deposit a sum of Rs.50,000/- into the Court. Challenging the said condition, the petitioner is before this Court.

4. In the considered opinion of this Court, the condition imposed by the Principal Sessions Court, Dharmapuri, calling upon the petitioner to deposit a certain sum of money in the Court cannot be said to be illegal. However, taking into consideration the nature of the allegations in the FIR, the deposit amount of Rs.50,000/- is reduced to Rs.30,000/- and on such deposit, the Judicial Magistrate, Harur shall re-deposit the amount in a fixed deposit account in any Nationalised Bank, so that the amount carries interest, and the same can be disbursed at the end of the trial by the trial Court. Two weeks time is extended for furnishing the sureties from the date of receipt of a copy of this order. Rest of the conditions imposed by the trial Court remain the same.

5. With the above modifications and direction, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

- 1.The Principal Sessions Judge,
Dharmapuri.
- 2.The Inspector of Police,
Morappur Police Station,
Dharmapuri District.
- 3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Raja shree, Advocate, S.R.No.65217

vsn (CO)
md (14/11/2016)

CrI. O.P. No.24304 of 2016