

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.7754 of 2016

K.Desingu

.. Petitioner

Vs.

The Inspector of Police,
Valapandal Police Station,
Vellore District.
Crime No.11 of 2016

... Respondent

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to modify the conditions imposed by the Principal Sessions Court, Vellore in its order in Crl.M.P.No.849 of 2016 dated 09.03.2016.

For Petitioner : M/s.P.Mahalakshmi

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

O R D E R

This petition is filed to modify the condition imposed on the petitioners in Crl.M.P.No.849 of 2016, dated 09.03.2016 on the file of the learned Principal Sessions Judge, Vellore.

2.Learned counsel for the petitioner submits that the petitioner who was arrayed as accused was granted bail by the learned Principal Sessions Judge, Vellore in Crl.M.P.No.849 of 2016 by imposing certain conditions. One such condition is that the petitioner was directed to deposit Rs.50,000/- before the Trial Court. He would submit that the petitioner is not in a position to deposit Rs.50,000/-. He had further submitted that instead of depositing the amount, he is ready to deposit the Patta of the house site given by the Government since he belongs to SC community along with an undertaking that he will not alienate the property till the disposal of the case.

3.Learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner has set fire to the cattle shed belonging to the de-facto complainant, in which, five cows were died and loss incurred to the tune of Rs.1,50,000/-. He would also submit that since investigation is

going on, there is no necessity for modification of the condition imposed by the Trial Court and hence, he prayed for dismissal of the petition.

4.Considering the rival submissions made by both sides and also considering the undertaking given by the petitioner that he is ready to deposit the Patta with all the relevant documents of the house site given by the Government, this Court is inclined to modify the condition imposed by the learned Principal Sessions Judge, Vellore in the order dated 09.03.2016 in Crl.M.P.No.849 of 2016. Accordingly, the petitioner is directed to deposit the Patta along with all the relevant documents in respect of the house site and also the solvency certificate from the Tahsildar to fix the value of the property and there is no encumbrance along with an undertaking that he will not alienate the property till the disposal of the case.

5.The Criminal Original Petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Valapandal Police Station,
Vellore District.

2.The Principal Sessions Judge,
Vellore.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.P.Mahalakshmi, Advocate sr.6307

Crl.O.P.No.7754 of 2016

rsy(CO)
srg(27/04/2016)