



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2016

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THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P.(MD)No.17705 of 2016

Benzi Raj .. Petitioner/Accused No.5

.. Vs ..

State through
The Inspector of Police,
E.O.W. Nagarkovil Police Station,
Kanyakumari District
(Crime No. 1 of 2015)

.. Respondent/Complainant

Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure, praying to modify the condition imposed in Cr.M.P.No.2341 of 2015 dated 20.11.2015 on the file of the learned Special Judge for TANPID, Madurai.

For Petitioners : Mr.P.Balamurugan

For Respondent : Mr.K.V.Rajaraman

Government Advocate(Crl. Side)

O R D E R

The petition has been filed under Section 439(1)(b) Cr.P.C., praying to modify the condition imposed in Cr.M.P.No.2341 of 2015 dated 20.11.2015 on the file of the learned Special Judge for TANPID, Madurai.

2. Learned counsel for the petitioner would submit that the trial court has granted bail to the petitioner in Cr.M.P.No.2341 of 2015 dated 20.11.2015 imposing some conditions. The first condition is that the accused shall deposit Rs.2,00,000/- to the credit of the case and the petitioner could not comply the said condition. He would further submit that though the petitioner got bail on 20.11.2015, he could not come out on bail.

3. Heard the learned counsel for the petitioner and also the learned Government Advocate(Crl. Side) appearing for the respondent.

4. Prolonged incarceration owing to inability to deposit sums ordered as condition for bail would itself be a change of



5. Considering the facts and circumstances of this case, this Court considers it appropriate to delete the condition to deposit Rs.2,00,000/-. The other conditions imposed by the court below shall stand unaltered.

6. The Criminal Original Petition is disposed of with the above modification.

Sd/
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar.

To,

1.The Special Judge for TANPID, Madurai.

2.The Inspector of Police,
E.O.W. Nagarkovil Police Station,
Kanyakumari District.

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

+1CC to M/S. P.Balamurugan, Advocate, SR.No.55455.

CRL.O.P.(MD)No.17705 of 2016

CM
AM/SK.SKN/AR-I/26.09.2016/2P/5C (IT)