



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Crl.O.P(MD)No.18843 of 2016

Pandiaraja

: Petitioner

Vs.

State rep. by
The Inspector of Police,
Economic Offence Wing,
Madurai District.
(Crime No.7 of 2016)

: Respondent

Prayer: Criminal Original Petition is filed under Section 439(1)(b) of the Criminal Procedure Code praying to modify the condition imposed upon the petitioner/accused in Cr.M.P.No.2308 of 2016 on the file of the learned Special Court under TNPID Act Cases, Madurai, dated 23.09.2016 in Crime No.7 of 2016 on the file of the respondent.

For Petitioner : Mr.G.Karuppasamy

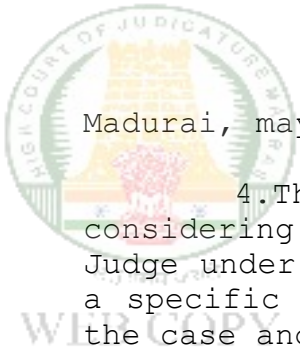
For Respondent : Mr.A.P.Balasubramani,
Government Advocate (Crl.side).

ORDER

This petition has been filed praying to modify the condition imposed on the petitioner in the order dated 23.09.2016 passed in Cr.M.P.No.2308 of 2016 by the Special Court under TNPID Act Cases, Madurai.

2.It is averred in the petition that the petitioner has been arrayed as an accused No.6 in Crime No.7 of 2016 on the file of the respondent police for the offences punishable under Sections 120(b), 406, 420 IPC and Section 5 of Tamil Nadu Protection of Interest of Depositors (In Financial Establishment) Act, 1997 and he was arrested and remanded to judicial custody on 22.06.2016. The petitioner has moved a petition before the learned Special Court under TNPID Act Cases, Madurai in Cr.M.P.No.2308 of 2016 for bail and the learned Special Judge under TNPID Act Cases, Madurai, after hearing both sides, granted bail to him with certain conditions vide order dated 23.09.2016 and one of the said conditions is that the petitioner shall deposit a sum of Rs.2,00,000/- to the credit of the case.

3.The learned counsel for the petitioner submitted that the petitioner is hailing from poor family and the condition to deposit of a huge of Rs.2,00,000/- is onerous and therefore, the condition imposed on the petitioner by the learned Special Judge under TNPID Act Cases,



Madurai, may be modified.

4. The learned Government Advocate (Crl.Side) submitted that after considering the facts and circumstances of the case, the learned Special Judge under TNPID Act Cases, Madurai, granted bail to the petitioner with a specific condition to deposit a sum of Rs.2,00,000/- to the credit of the case and the same requires no interference.

5. From the materials available on record, it is seen that the petitioner is said to have committed white collared crime and economic crime. Taking note of the gravity of the offence, the Special Court under TNPID Act Cases, Madurai, at the time of granting bail to him, directed him to deposit a sum of Rs.2,00,000/- to the credit of the case and also to execute a bond for a sum of Rs.25,000/- with two sureties for the likesum and to appear before the respondent daily twice i.e., at 10.00 a.m. and 05.00 p.m. until further orders. Taking notice of the fact that the petitioner committed white collared and economic crime, cheating the depositors, the ground raised on the side of the petitioner is not acceptable and this Court is not inclined to modify the conditions imposed on the petitioner by the learned Special Judge under TNPID Act Cases, Madurai and accordingly this petition is dismissed.

Sd/-

Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Special Judge under TNPID Act Cases,
Madurai.
2. The Inspector of Police,
Economic Offence Wing,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

TE/EM-MPA/SAR-I : 14/11/2016 : 2P/4C

ORDER MADE IN
Crl.O.P (MD) No.18843 of 2016
21.10.2016