

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 01.12.2016****CORAM:****THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN****Crl.O.P. (MD) No. 22275 of 2016**

R.Uma

... Petitioner/Accused NO.1

Vs.

1.The Inspector of Police,
Fort Crime Police Station,
Trichy.

2.M.Kabilavendhan

... Respondents

(R2 impleaded as per order of
this Honourable Court made in
CRL MP(MD)No.11848 of 2016 in
CRL OP(MD)No.22275 of 2016
dated 30.11.2016)

PRAYER: Petition is filed under Section 439(1) of the Code of Criminal Procedure, to set aside the condition to deposit a sum of Rs.9,50,000/- to the credit of Crime No.833 of 2016 and to pass order to relax the condition imposed in Crl.M.P.No.2705 of 2016 dated 18.11.2016 on the file of the Principal Sessions Court, Trichy.

For Petitioner : Mr.P.Ganapathi Subramanian

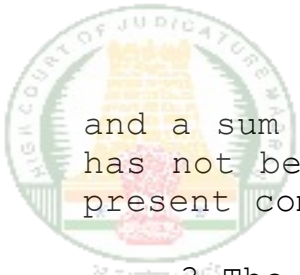
For Respondents : Mrs.S.Prabha,

Government Advocate (Crl. Side)

O R D E R

The petitioner has come forward with the present Criminal Original petition to set aside the condition to deposit a sum of Rs.9,50,000/- to the credit of Crime No.833 of 2016 and to pass order to relax the condition imposed in Crl.M.P.No.2705 of 2016 dated 18.11.2016 on the file of the Principal Sessions Court, Trichy.

2.The case of the petitioner is that in order to obtain a Government job, the de facto complainant has been introduced by the 2nd accused to the 1st accused and that the de facto complainant remitted a sum of Rs.3 lakhs into the account of the 1st accused



and a sum of Rs.9.50 lakhs to the 2nd accused. As the said amount has not been repaid to the de facto complainant, he preferred the present complaint.

3.The petitioner filed a petition for bail in Crl.M.P.No.2705 of 2016 before the learned Principal Sessions Judge, Trichy and the learned Sessions Judge by order dated 18.11.2016 granted bail to the petitioner by imposing a condition that the petitioner shall deposit a sum of Rs.9,50,000/- and also execute a bond for Rs.10,000/- with two sureties each for like sum to the satisfaction of the Judicial Magistrate, Trichy and further the petitioner was directed to appear before the respondent daily at 10.00 a.m. until further orders.

4.The grievance of the petitioner is that already the petitioner repaid a sum of Rs.3 lakhs and hence, one of the condition in Crl.M.P.No.2705 of 2016 depositing the amount of Rs.9.50 lakhs may be set aside.

5.Heard the learned counsel for the petitioner, learned Government Advocate (Crl.side) and the learned counsel for the intervenor.

6.Considering the facts and circumstances of the case and taking note of the fact that the de facto complainant has deposited the amount through RTGS to the account of the accused person and considering the gravity offence said to have been committed by the petitioner, this Court is not inclined to set aside the condition imposed in Crl.M.P.No.2705 of 2016. Accordingly, this Criminal Original petition is dismissed.

Sd/-

Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar

To

1.The Principal Sessions Court, Trichy.

2.The Inspector of Police,
Fort Crime Police Station, Trichy.

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

+1 cc to M/s.K.Sivabalan, Advocate in SR.No.78806

nbj

CSL/PM-AMI/SAR-II/24.01.2017 :2P/5C

Crl.O.P. (MD) No.22275 of 2016
01.12.2016