



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2016

CORAM

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

Crl.O.P.(MD).No.9634 of 2016

WEB COPY

Lovely Jasmine

: Petitioner/Accused

Vs.

The State of rep. by
Sub Inspector of Police,
C-3, SS Colony Police Station,
Madurai District
(Crime No.866 of 2016)

: Respondent/Complainant

PRAYER: Criminal Original Petition filed under section 439(1)(b) of CR.P.C praying to modify the conditional order imposed in Crl.M.P.No.358 of 2016 dated 25.05.2016 on the file of the learned Vacation Sessions Judge, Madurai in respect of depositing the amount of Rs.5,74,500/-.

For Petitioner : Mr. M. Karuppasamy

For Respondent : Mr. P. Kannithevan,
Government Advocate (Crl.Side)ORDER

The Criminal Original Petition seeking modification of the order imposed in Crl.M.P.No.358 of 2016, dated 25.05.2016, on the file of the learned Sessions Judge, Madurai, in respect of depositing the amount of Rs.5,74,500/-.

2. The case of the prosecution is that on promising to get a job for the defacto complainant as a Inspector of Police, the petitioner received a sum of Rs.11,49,000/- on various dates and on complaint, a case has been registered against the petitioner and two others for the offence under Sections 120(b), 406, 420, 294(b), 342, 323 and 506(ii) of IPC in Crime No.358 of 2016, on the file of the respondent Police.

3. The petitioner filed Crl.M.P.No.7155 of 2016 before the Sessions Court, Madurai and the same has been withdrawn by the petitioner stating that already she filed anticipatory bail petition before this Court and subsequently, he has withdrawn the same. Thereafter, he filed the Crl.M.P.No.358 of 2016 before the Sessions Court, Madurai and at the time hearing of the anticipatory bail, the petitioner agreed to deposit half of the amount, before the Trial Court to prove her bonafide without prejudice to the case. Considering the submissions of petitioner, the learned Sessions Judge, Madurai, granted anticipatory bail and directed to deposit the agreed amount.

4. Now, the petitioner has come out with the present petition seeking modification of the said condition stating that the same is onerous and contrary to the Judgment of the Hon'ble Supreme Court. In



the present case, the petitioner herself agreed to deposit the half of the amount Rs.5,74,500/-.

5. In the circumstances, the petition is not maintainable and the same is liable to be dismissed. Accordingly, the Criminal Original petition is dismissed.

Sd/
Assistant Registrar(W)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Vacation Sessions Judge, Madurai.

2.The Sub Inspector of Police,
C-3, SS Colony Police Station,
Madurai District.

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

+1cc to M/S.M.Karuppasamy, Advocate in SR.No.31576

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