

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

CRL.OP.No.9496 of 2017

C.Venkatesan

..Petitioner/Accused

Vs

State rep by its

The Inspector of Police,

C.C.B., Chennai Police Station,

Crime No.17 of 2017

..Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C., to modify the order dated 28.04.2017 by the Hon'ble Judicial Magistrate Court, Alandur passed in Crl.M.P.No.1822 of 2017.

For Petitioner : Mr.C.G.Narendran

For Respondent : Mr.Mohammed Riyaz

Government Advocate (Crl.side)

O R D E R

This petition has been filed to modify the condition imposed on the petitioner by the learned Judicial Magistrate Court, Alandur passed in Crl.M.P.No.1822 of 2017 dated 28.04.2017.

2. Heard the learned counsel for the petitioners; learned Government Advocate (Crl.side) for the respondent and perused the materials placed on record.

3. It is seen that, the petitioner was granted bail in Crl.M.P.No.1822 of 2017 by the learned Judicial Magistrate, Alandur on the following conditions:

"Accordingly petitioners are released on bail on executing a bond for a sum of Rs.25,000/- with 2 sureties for the like sum for each accused, out of which one surety must be close relatives for each accused and further condition that they shall deposit a sum of Rs.2,00,000/- each as cash security (the same to be deposited as F.D.) and further they shall report before the respondent/police daily at 10.30 a.m. For a period of 30 days"

4. Learned counsel for the petitioner expressed his inability to deposit a sum of Rs.2,00,000/- each as cash security, which is made as precondition in the above order. The petitioner claims to be a coolie and hence he is unable to make the deposit which is onerous, according to him.

5. Taking into consideration the nature of the offences and the difficulty of the accused, this Court is of the view that it will serve the interest of justice, if the condition with regard to payment of deposit is modified. In the result, the order dated 28.04.2017 in CrI.M.P.No.1822 of 2017 passed by the learned Judicial Magistrate, Alandur is modified to the effect that the petitioner shall deposit a sum of Rs.25,000/- instead of Rs.2,00,000/- as cash by way of fixed deposit. All other conditions imposed in the aforesaid order shall remain intact.

6. With the above modification, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar/Vacation Officer,

//True Copy//

Sub Assistant Registrar

rm

To

1.The Judicial Magistrate,
Alandur

2.-do- Thro' The Chief Judicial Magistrate,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.C.G. Narendiran, sr 8832(17/05/2017)

CRL.O.P.No.9496 of 2017

RSY(CO)

EU 16.5.17