

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No. 20597 of 2017

Rangasamy

.. Petitioner

Vs.

The State rep. by
The Inspector of Police,
Mohanur Police Station,
Namakkal.
(Crime No. 401/2017)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to modify the condition imposed in order dated 12.09.2017 in Crl.M.P. No. 1017 of 2017 on the file of the learned Principal Sessions Court, Namakkal.

For Petitioner : M/s.T.Gopinathan

For Respondent : Mr.P.Govindarajan
Additional Public Prosecutor.

ORDER

The prayer sought for in the present petition is to modify the condition imposed in order dated 12.09.2017 in CrI.M.P. No. 1017 of 2017 on the file of the learned Principal Sessions Court, Namakkal.

2. It is submitted that the petitioner is aggrieved against the conditional order directing the petitioner to deposit a sum of Rs.24,000/- before the concerned Judicial Magistrate No.II, Namakkal.

3. The learned Additional Public Prosecutor submitted that the investigation is still pending in the aforesaid Crime No.401 of 2014 and therefore, the condition to make cash deposit is justified.

4. In my view, when the investigation is pending and the investigation officer has not come to the conclusion as to whether the lorry was involved in the crime or not, it would not be appropriate to direct the petitioner to deposit any amount. In my

view, there cannot be such onerous condition imposed on him.

5. In view of the same, the order dated 12.09.2017 passed in Crl.M.P.No.1017 of 2017 on the file of the learned Principal Sessions Court, Namakkal, is set aside insofar as the direction to the petitioner to deposit a sum of Rs.24,000/- before the concerned Judicial Magistrate Court. All other conditions stipulated in the said order shall remain intact.

6. With the above observations, the Criminal Original Petition stands allowed.

03.10.2017

Index:Yes/No

ak/kal

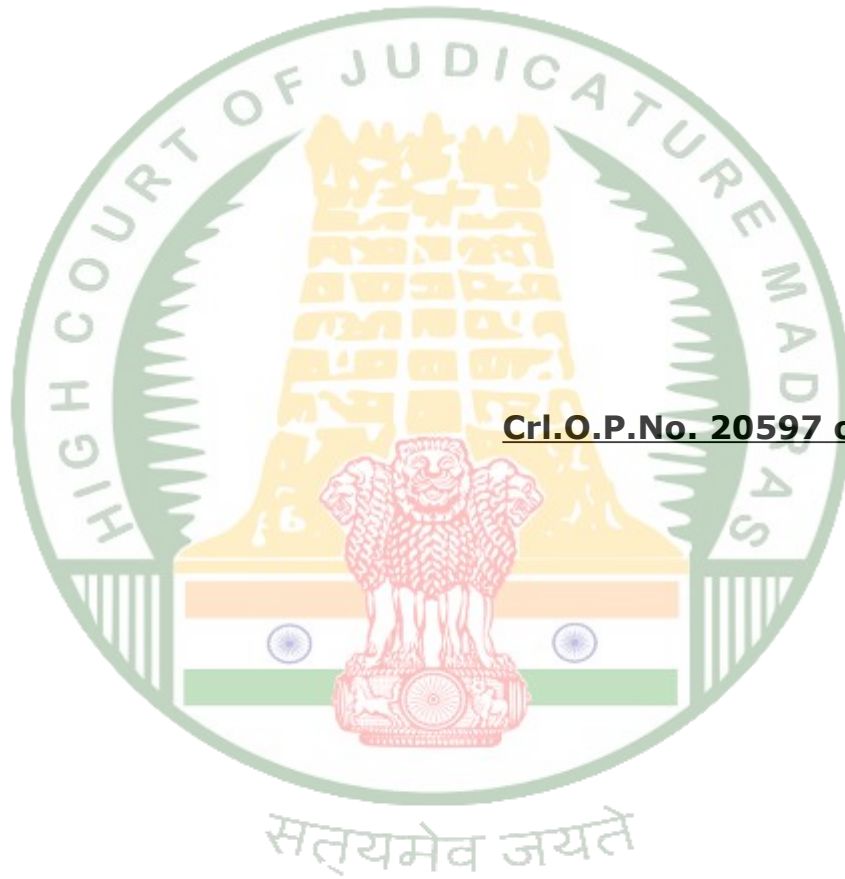
To

1.The Inspector of Police,
Mohanur Police Station,
Namakkal.

2. The Public Prosecutor,
High Court, Madras.

M.S.RAMESH. J.,

ak/kal



CrI.O.P.No. 20597 of 2017

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