IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 26.10.2017

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THE HONOURABLE MR. JUSTICE N.AUTHINATHAN

Crl.O.P. No.21318 of 2017

Sundram .. Petitioner

Versus

State, represented by,
The Inspector of Police,
Economical Wings,
Ekaduthangal,
Chennai District. .. Respondent

PRAYER : Criminal Original Petition filed under Section 439(1)(b) and 482 of the Code of Criminal Procedure, to modify the order dated 29.06.2017 made in Crl.M.P.No.759 of 2017, on the file of the TNPID Judge, Chennai, enabling the petitioner to comply with the order.

For Petitioner : Mr.M.Sathyasai Eswari

For Respondent : Mr.B.Ramesh Babu
Government Advocate [Crl. Side]

O R D E R

The petitioner was granted bail for the offences punishable under Sections 406, 420 of IPC and Section 5 of Tamil Nadu Protection of Interests of Depositors [In Financial Establishments] Act, 1997. The allegation against the petitioner is that, he has committed default in repaying the amount to the tune of Rs.2 crores from 31 depositors. One of the conditions imposed by the Trial Court that the petitioner should deposit Rs.25 lakhs within four weeks. Aggrieved by the order of the said condition, the present petition has been filed to modify the same.

2. The learned counsel appearing for the petitioner would submit that the petitioner has been in custody since 230 days, nobody is there to help him and he is not in a position to raise funds to deposit the amount of Rs.25 lakhs. However, the

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petitioner is willing to deposit Rs.50,000/- and that, the learned counsel pleaded for modification of the said condition.

3. Heard the learned Government Advocate [Criminal Side] appearing for the respondent.

4. Having regard to the fact that the petitioner has been in custody since 230 days and taking note of the fact that the Trial Court has imposed other conditions to ensure the petitioner's presence at the trial, I am inclined to modify the condition. Accordingly, the condition imposed by the Trial Court in Crl.M.P.No.759 of 2017 dated 29.06.2017 is modified to the effect that the petitioner should deposit a sum of Rs.50,000/- before the court concerned, within a period of two weeks from the date of receipt of a copy of this order. The other conditions shall remain unaltered.

5. With this direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

sri

To
1.The Judge, Tamil Nadu Protection of Interests
of Depositors [In Financial Establishments] Act, 1997,
Chennai.
2.The Inspector of Police,
Government of Tamil Nadu,
Economical Wings,
Ekaduthangal, Chennai District.
3.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.
+ 1 cc to Mr. P. Chandrasekar, Advocate Sr.76870

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