

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.2468 of 2017

Elayaraja ... Petitioner/Petitioner/Accused

Vs

The State, rep by
The Inspector of Police (Crime),
PEW Harur Police Station,
Dharmapuri District. ... Respondent/Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the order passed in Crl.M.P.No.2092 of 2016 dated 3.1.2017 by the learned Principal Sessions Judge, Dharmapuri, against Crime No.1320 of 2016 dated 22.12.2016 pending on the file of the PEW Harur Police Station, Dharmapuri District.

For Petitioner : Mr.K.Poomalai

For respondent : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed to modify the condition imposed on the petitioner in Crl.M.P.No.2092 of 2016 dated 3.1.2017 by the learned Principal Sessions Judge, Dharmapuri.

2. It is the case of the petitioner that he has filed a petition in Crl.M.P.No.2092 of 2016 before the learned Principal Sessions Judge, Dharmapuri, seeking bail and the learned Judge, by order dated 3.1.2017, granted bail to the petitioner on certain conditions. One of the conditions is that the petitioner shall deposit a sum of Rs.1,00,000/- into the Court. Since the petitioner is unable to comply with the said condition, he is not in a position to avail the benefit of the said order. Hence, seeking modification of the said order, the petitioner has come up with the present petition.

3. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioner.

4. Considering the facts and circumstances of the case, this Court is inclined to modify the said condition imposed on the petitioner.

5. Accordingly, the condition imposed on the petitioner in CrI.M.P.No.2092 of 2016 dated 3.1.2017 by the learned Principal Sessions Judge, Dharmapuri, viz., " the petitioner shall deposit a sum of Rs.1,00,000/- into the Court " is hereby modified as follows:-

" The petitioner shall deposit a sum of Rs.50,000/- (Rupees fifty thousand only) into the Court "

The other conditions shall remain unaltered. The criminal original petition is ordered accordingly.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi
To

1.The Principal Sessions Judge,
Dharmapuri,

2.The Inspector of Police (Crime),
PEW Harur Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Poomalai, Advocate Sr.8100

CrI.O.P.No.2468 of 2017

nm1[co]
srg 15/2/2017