

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2017

CORAM

THE HONOURABLE MR. **JUSTICE V.BHARATHIDASAN****Crl.O.P.No.29247 of 2017**

Jamin Francis

... Petitioner

Vs

State, Rep. by its
The Inspector of Police,
Central Crime Branch,
Chennai.
(Crime NO.154/2015)

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to
modify the Order dated 22.11.2017 in Crl.M.P.No.3963 of 2017 passed
by the learned Principal Sessions Judge of Kancheepuram at
Chengalpattu.

For Petitioner :

M/s.T.Muthukrishnan

For respondent :

Mr.C.Iyyappa Raj
Addl. Public Prosecutor

ORDER

This petition has been filed seeking modification in the order passed by the Court below directing the petitioner to deposit a sum of Rs.1,00,000/- while granting bail.

2. The learned counsel for the petitioner submitted that the petitioner is the Power of Attorney of the original owner of the land by name one V.Raju and he has also filed a suit in O.S.No.199 of 2015 before the learned Sub Judge cum Additional Sessions Judge, Tambaram and also obtained an order of status-quo. Subsequently, the complainant, who claims to be Power of Attorney holder of the property and stated to have executed a power of attorney in the year 1991 and based on his complaint a crime has been registered and he was arrested and remanded to judicial custody. The trial Court has granted bail to him with a condition to deposit a sum of Rs.2,00,000/- which was modified by the Revisional Court and directed him to deposit a sum of Rs.1,00,000/-. Now seeking further modification of the said condition, the present application is filed.

3. Considering the fact that the petitioner also claims to be the Power of Attorney and he has also obtained an order of Staus-Quo before the Civil Court, this court is of the view that the condition imposed by the Courts below is onerous and the same is required to be modified. The condition is, accordingly, modified directing the petitioner to execute a bond for a sum of Rs.25,000/- with two sureties each for the like sum. This original petition is ordered with the above directions.

22.12.2017

Index:Yes/No
Internet:Yes/No
Speaking Order/Non Speaking Order

dh/mrp

To

1.The Inspector of Police,
Central Crime Branch,
Chennai.

2.The Public Prosecutor,
High Court, Madras.

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V.BHARATHIDASAN, J.

dh/mrp



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