



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eighth day of February Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice A.M.BASHEER AHAMED

CRL MP(MD) Nos.1048 and 1049 of 2017

IN

CRL OP(MD) No.24075 of 2016

WEB COPY

RAJA

... PETITIONER/PETITIONER/ACCUSED NO.2

Vs

STATE REP.BY ,
THE INSPECTOR OF POLICE
RADHA PURAM POLICE STATION,
TIRUNELVELI DISTRICT,
CRIME NO. 205 OF 2016.

... RESPONDENT/RESPONDENT/COMPLAINANT

Prayer in CRL MP(MD)No.1048 of 2017 IN CRL OP(MD) No.24075 of 2016:-

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to grant further time of 15 days to comply with the conditions imposed by this Honourable Court in Crl. OP(MD)No. 24075 of 2016 dated 29.12.2016.

Prayer in CRL MP(MD)No.1049 of 2017 IN CRL OP(MD) No.24075 of 2016:-

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to modify the condition of this Honourble Court passed in CRL OP(MD) No.24075 of 2016 dated 29.12.2016 in so far as the condition to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) for the enlargement of petitioner.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.BALAMURUGAN, Advocate for the petitioner and of MR.P.KANDASAMY, Government Advocate (Crl.side) on behalf of the Respondent the court made the following order:-

The petition in CRL MP(MD)No.1048 of 2017 has been filed praying to extend 15 days' time to comply with the conditions imposed by this Court in Crl.O.P(MD)No.24075 of 2016, dated 29.12.2016.

2. The petition in CRL MP(MD)No.1049 of 2017 has been filed praying to modify the condition imposed by this Court in Crl.O.P(MD) No.24075 of 2016, dated 29.12.2016 insofar as the condition to deposit a sum of Rs.10,000/- for the enlargement of the petitioner.

3. Anticipatory Bail was granted by this Court, as per the order dated 29.12.2016, directing the petitioner to deposit a sum of Rs.10,000/- to the credit of Crime No.205 of 2016, before the learned Judicial Magistrate, Valliyoor and on receipt of the same,



the petitioner is entitled to be released on bail, in the event of arrest. Admittedly, the petitioner has not complied with the said condition and the petitioner now come forward to modify the above said condition in respect of deposit of Rs.10,000/- in this application.

4. The reason assigned by the petitioner herein is not acceptable one. On perusal of the FIR registered in this case would reveal that two units of sand worth about Rs.2000/- was illegally transported in the TATA 609 vehicle. There are two accused in this case. The petitioner is the owner of the lorry. A1 in this case was arrested and released on bail by the concerned sessions Court, without any condition of deposit.

5. Considering the above facts and circumstances of the case, this Court is inclined to modify the amount as Rs.2000/- instead of Rs.10,000/- to be deposited to the credit of Crime No.205 of 2016 before the learned Judicial Magistrate, Valliyoor and on receipt of the same, the petitioner is entitled to be released on bail in the event of arrest.

6. In view of the orders passed in CRL MP(MD)No.1049 of 2017, this Court is inclined to grant 10 days time to appear before the concerned court for compliance of the order dated 29.12.2016 and on receipt of Rs.2000/- as ordered above.

sd/-
08/02/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1.THE JUDICIAL MAGISTRATE,VALLIYOOR.

2.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TIRUNELVELI DISTRICT.

3.THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

4.THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION, TIRUNELVELI DISTRICT.

+2. C.C. to M/S.S.BALAMURUGAN Advocate SR.No.6861&6862

ORDER

IN

CRL MP(MD) No.1048 of 2017

IN

CRL OP(MD) No.24075 of 2016

Date :08/02/2017