



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Tuesday, the Third day of October Two Thousand and Seventeen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.12372 of 2017

VELMURUGAN

... PETITIONER/PETITIONER/PETITIONER/A4

Vs

THE SUB INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING, VIRUDHUNAGAR.

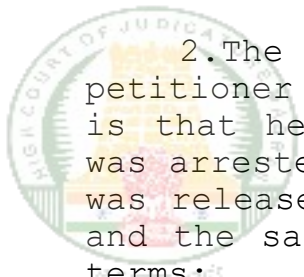
(CRIME NO.1/2017) ... RESPONDENT/RESPONDENT/RESPONDENT/COMPLAINANT

Prayer in CRL OP(MD) . 12372/ 2017 :

Criminal Original Petition is filed under section 482 of Criminal procedure Code praying this Hon'ble Court to modify the bail order dated 19.08.2017 made in Cr.M.P.No.3304 of 2017 and modify the order dated 21.08.2017 made in Cr.M.P.No.3642 of 2017 passed by the Special Court for TNPID Act Cases, Madurai by reducing the amount payable by the petitioner from Rs.1,00,000/- to a lesser amount.

Order: This Petition coming on for Orders upon perusing the Petition filed in support thereof and upon hearing the arguments of Mr.K.K.BALARAM, Advocate for the Petitioner and of Mr.K.ANBARASAN, Government Advocate (Criminal Side) on behalf of the respondent, the Court made the following Order:

The petitioner/accused No.4, who was arrested and remanded to judicial custody on 11.07.2017, for the alleged offences punishable under Sections 406, 420, 120(b) of IPC and Section 5 of TNPID Act, 1997, in Crime No.1 of 2017, on the file of the respondent police. Subsequently, the petitioner filed a bail application in Cr.M.P.No.3304 of 2017 before the Special Court for TNPID Act Cases, Maduari, and enlarged on bail by order, dated 19.08.2017, with condition that the petitioner shall deposit Rs.1,00,000/- to the credit of Crime No.1 of 2017. But, due to his poverty, he was not able to comply the condition and he filed a modification petition in Cr.M.P.No.3642 of 2017 in Cr.M.P.No.3304 of 2017, and the Special Court after considering the circumstances, modified the condition that the petitioner shall deposit the said amount in four instalments each in 15 days interval. Thereafter, the petitioner has deposited Rs.25,000/- twice, in total he has deposited Rs.50,000/- to the credit of Crime No.1 of 2017. Now, again for modification, he has approached this Court.



2.The case of the prosecution is that A1 is the company and the petitioner is A4. The specific allegation against the petitioner/A4 is that he has collected Rs.10,00,000/- from 48 depositors and he was arrested on 11.07.2017 and after 40 days in judicial custody, he was released on bail on condition to deposit a sum of Rs.1,00,000/- and the said condition was modified on 21.08.2017 in the following terms:

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"The petitioner is permitted to deposit Rs.25,000/ at first, subsequently, he is directed to pay Rs.75,000/-, the remaining amount in three instalments within 15 days interval of each deposit and accordingly this petition is allowed".

3.The case of the petitioner is that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He is no way connected with the crime and prays for modification.

4.Heard the learned Government Advocate (Crl.Side) appearing for the State and perused the materials.

5.Considering the gravity of the offence committed by the petitioner/A4 that he himself collected Rs.10,00,000/- from 48 depositors, the modification order passed by the Court below cited supra is reasonable. I find no illegality or irregularity in the order passed by the Court below. Hence, I am not inclined to modify the condition already imposed against the petitioner/A4. Accordingly, this Criminal Original Petition is dismissed. The petitioner/A4 is directed to comply the above said modified condition, dated 21.08.2017.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

TO

- 1.THE SPECIAL JUDGE FOR TNPID ACT, MADURAI.
- 2.THE SUB INSPECTOR OF POLICE,
ECONOMIC OFFENCE WING, VIRUDHUNAGAR.
- 3.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER DATED :03/10/2017

ORDER

CRL OP(MD) No.12372 of 2017

Giving direction etc., as
stated within.