



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.04.2017

CORAM:

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CRL.O.P. (MD) No. 4004 of 2017

WEB COPY

Murugan

: Petitioner

-Vs-

State rep.by,
The Inspector of Police,
Kurangani Police Station,
Theni District.
Crime No.68 of 2016.

: Respondent

PRAYER: Petition is filed under Section 439(1)(b) of the Criminal Procedure Code to set aside the order passed in Cr.M.P.No.784 of 2017 on the file of the Principal Sessions Judge, Theni, dated 20.03.2017.

For Petitioner
For Respondent

: Mr.P.Senguttuarasan
: Mr.A.P.Balasubramani
Government Advocate (Crl.side)

ORDER

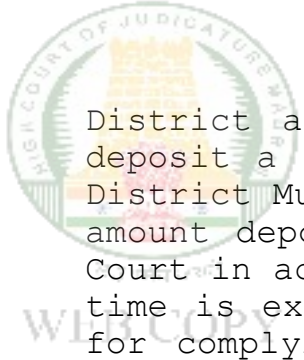
The petitioner is A.3 in Cr.No.68 of 2016 for the offences under Sections 147, 148, 294(b), 447 and 506(ii) I.P.C. The petitioner was granted anticipatory bail in Cr.M.P.No.784 of 2017 on 20.03.2017 by the learned Principal District and Sessions Judge, Theni on condition that he should deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) before the District Munsif cum Judicial Magistrate Court, Bodinayackanur. Aggrieved by the said condition, the petitioner is before this Court.

2. Heard the learned Counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent.

3. Mr.P.Senguttuarasan, learned Counsel appearing for the petitioner submitted that the petitioner is a poor coolie labourer and that his services were requisitioned by A.1 to cut trees, for which, the petitioner cannot be mulcted with such huge liability.

4. Per contra, the learned Government Advocate (Crl.Side) submitted that in respect of some of the co-accused, the Court below has directed that a sum of Rs.10,000/- has to be deposited.

5. Taking into consideration the facts and circumstances of the case, this Court modified the condition imposed by the Principal



District and Sessions Judge, Theni and directs the petitioner to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) before the District Munsif cum Judicial Magistrate Court, Bodinayackanur. The amount deposited by the petitioner shall be disbursed by the trial Court in accordance with law at the end of the trial. Fifteen days' time is extended from the date of receipt of a copy of this order for complying with the condition imposed by the learned Principal District and Sessions Judge, Theni, by order dated 20.03.2017 in CrI.M.P.No.784 of 2017.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge, Theni.

2.The Inspector of Police,
Kurangani Police Station,
Theni District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.P.SENGUTTUARASAN, Advocate, SR No. 51147

SSL

PSM/RR/SAR2/19.04.2017/2P/5C

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