



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2017

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CRL.O.P. (MD) No.4382 of 2017

A.Murugan

... Petitioner / Accused No.2

vs.

State Represented through the
Inspector of Police,
Economic Offences Wing-II,
Madurai.

(Crime No.10 of 2016)

... Respondent

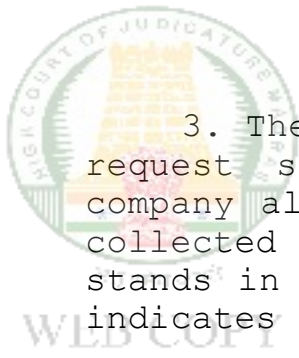
Prayer: The Criminal Original Petition is filed under Section 439 (1)(B) of Cr.P.C., to grant the petitioner the remedy of relaxation/modification of the 1st condition of depositing the huge amount of Rs.10 lakhs (Rupees ten lakhs) in the credit of this case, passed vide order dated 04.04.2017 of the learned Special Judge, Madurai in Cr.M.P.No.1150 of 2017 in Cr.M.P.No.981 of 2017 to the effect of executing a bond for Rs.1 lakh or other orders, with further directions to the petitioner to undergo the other two conditions already imposed by the learned Special Judge, Madurai and thereby enable him to be rendered from judicial custody.

For Petitioner	: Mr.S.Ghouse Yacoob Hussain
For Respondent	: Mr.M.Rajarajan
	Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed for relaxation of the condition imposed by the learned Special Judge for TNPID Cases, Madurai in Cr.M.P.No.1150 of 2017 in Cr.M.P.No.981 of 2017, dated 04.04.2017.

2. The learned counsel for the petitioner submits that though the Court has granted bail, but imposed an onerous condition to deposit Rs.10 lakhs as cash, which the petitioner is not in a position to mobilise. Therefore, the said condition should be modified or else despite granting bail to him, he will not be in a position to avail the same, due to the onerous condition.



3. The learned Government Advocate (Crl.side) opposed the said request stating that the petitioner has floated the finance company along with the other accused and has cheated 2 ½ crores collected from the depositors. There are several properties which stands in his name and benami's name and his confession statement indicates that he has invested the money in real estate at Kerala.

4. Taking note of the submission made by the learned Government Advocate (Crl.side) based on the materials collected through investigation that the petitioner though cheated several crores of public money, is not inclined even to deposit the money for availing the bail, but to go scot-free and enjoy the ill-gotten money. This Court finds no merit in the modification petition. Accordingly, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (RTI)

/True copy/

Sub Assistant Registrar

To

1.The Special Judge for TNPID Act cases,
Madurai.

2.The Inspector of Police,
Economic Offences Wing-II,
Madurai.

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

+1 CC to M/s.S.Ghouse Yacoob Hussain, Advocate, SR No.52656

AKV

PSM/KP/SAR2/27.04.2017/2P/5C

Crl.O.P.(MD)No.4382 of 2017
19.04.2017