

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 31.08.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.21265 of 2018

1. Manikandan
2. Vijiyakumar

.... Petitioners

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Kanjapur Police Station,
Villupuram District.
(Crime No.229/2018)

.... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., praying to modify the bail condition imposed in Crl.M.P.No.5637 of 2018 on the file of the Court of Sessions, Villupuram Sessions Division, Villupuram dated 27.08.2018 in so far as the condition to deposit Rs.1,00,000/- by the first petitioner and Rs.25,000 by the petitioner in the trial court is concerned.

For Petitioners : Mr.C.K.M.Appaji
For Respondent : Mr.C.Raghavan, Govt. Advocate

सत्यमेव जयते
O R D E R

The petitioners were arrested in Crime No.229 of 2018 for the offences under Section 417, 420 and 406 IPC and were remanded to custody. They were released on bail in Crl.M.P.No.5637 of 2018 on 27.08.2018 on the orders of the learned Sessions Judge, Villupuram, on certain conditions. One of which is that, the 1st petitioner should deposit Rs.1,00,000/- and the 2nd petitioner should deposit Rs.25,000/- as cash security. Unable to raise the said amount, the petitioners are before this Court for modification.

2.Heard Mr.C.K.M.Appaji, learned counsel for the petitioners and the learned Government Advocate appearing for the respondent.

3.On a reading of the FIR, it appears that the petitioners are village drama artists and after having received money from the drama organisers, they did not act in the drama. Hence, the complaint and the consequent FIR.

4.Taking into consideration the fact that the petitioners are in incarceration from 10.08.2018 and also the fact that they are daily wagers, this Court is of the view that the security amount can be substantively reduced. Accordingly, the security amount of Rs.1,00,000/- qua 1st petitioner is reduced from Rs.1,00,000/- to Rs.25,000/- and the security amount qua 2nd petitioner is reduced from Rs.25,000/- to Rs.10,000/-. The trial Court shall disburse the amounts at the culmination of the trial Court, either to the accused or to the de facto complainant depending upon its outcome. Rest of the conditions shall remain the same.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1.Principal Sessions Judge,
Villupuram.

2.The Inspector of Police,
Kanjapur Police Station,
Villupuram District.
Tamil Nadu.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.K.M.Appaji, Advocate, S.R.No.60226

CRL.OP.No.21265 of 2018

RSV(CO)
GSP(06/09/2018)