

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.16277 of 2018

Mathi @ Mathiyalagan

...Petitioner

vs.

State rep. by
The Sub Inspector of Police
CCB, Team II, Vepery,
Chennai.

...Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. to modify one of the condition "(iii) the petitioner shall also deposit title deed worth Rs.5 Lakhs before the said Magistrate" imposed by the learned Principal Sessions Judge at Chennai in Crl.MP.No.8368 of 2018 dated 04.06.2018.

For petitioner :Mr.S.Prabudoss

For Respondent :Mr.C.Raghavan

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to modify one of the condition dated 04.06.2018, imposed by the Principal Sessions Judge at Chennai in Crl.MP.No.8368 of 2018.

2. On the complaint lodged by one Kamaraja, the respondent police registered a case in Crime No.135 of 2018, for the offences under sections 429 and 506(i) IPC against Panneer Selvam. During the course of investigation, Panneer Selvam (A1) was arrested and in his confession statement, he has implicated the petitioner. The allegation of the de facto complainant in the complaint is that Panneer Selvam (A1) had made false promise to get loan of Rs.40 Crores from private financiers and towards that Panneer Selvam (A1) had received Rs.73.5 Lakhs, but had not made any arrangements for loan or returned the amount. Panneer Sevlam (A1) was arrested and has been released on bail. In the confession statement of Panneer Selvam (A1), he has stated that he had given Rs.5 Lakhs to the petitioner. The petitioner was granted anticipatory bail on 04.06.2018 by the Sessions Court, Chennai in Crl.MP.No.8368 of 2018 on certain conditions, one of which, is that the petitioner shall also deposit title deeds worth Rs.5 Lakhs before the said Magistrate. Under such circumstances, the petitioner has filed the present petition for modification of the aforesaid condition on the ground that there are no properties standing in the name of the petitioner.

3. Heard Mr.S.Prabudoss, learned counsel for the petitioner and Mr.C.Raghavan, learned Government Advocate

(Cr1. Side) for the respondent.

4. The learned counsel for the petitioner/accused submitted that the petitioner does not have any property in his name.

5. This Court perused the case records and the confession statement of Panneer Selvam (A1).

6. Taking into consideration the facts and circumstances of the case, the condition No.6(iii) extracted above is modified to the effect that the petitioner shall deposit Rs.1 Lakh cash to the credit of Crime No.135 of 2018, before the Metropolitan Magistrate for Exclusive Trial of CCB Cases, Chennai and on such deposit, the amount shall be redeposited in a Fixed Deposit account and the same can be disbursed at the culmination of the trial depending on the outcome. Two weeks time is extended from the date of receipt of a copy of this order for surrendering before the concerned Court and executing a bond for Rs.10,000/- with two sureties. The sum of Rs.1 Lakh should be deposited at the time of surrender by the petitioner/accused. Rest of the conditions imposed by the Principal Sessions Judge, Chennai, shall remain the same.

With the above modification, this petition is ordered.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge, Chennai.

2. The Metropolitan Magistrate for Exclusive Trial of CCB Cases, Egmore, Chennai.

3. The Sub Inspector of Police
CCB, Team II, Vepery,
Chennai.

4. The Public Prosecutor, High Court, Madras.

+1cc to Mr.S.Prapudass, Advocate SR.No.40218

BR(CO)

sm:4.7.2018

Cr1.O.P. No.16277 of 2018