

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION Nos.8374 & 8375 of 2018

IN CRL OP.17763/2017

1 V.SENTHILKUMAR,
2 K.MUTHUKUMAR,
3 T.KATHIRAVAN,

[PETITIONERS/ACCUSED IN BOTH THE
PETITIONS]

Vs

THE STATE BY
INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE,
COIMBATORE DISTRICT.
(CR.NO.9 OF 2016).

[RESPONDENT IN BOTH THE PETITIONS]

Petition praying that in the circumstances stated therein the High Court will be pleased to

(1) extend the time by granting two weeks to comply with the order dated 12.09.2017 made in Crl.O.P.No.17763 of 2017. (CRL.MP.8374/2018)

(2) Modify the condition order dated 12/09/2017 made in CRL.OP.NO.17763/2017. (CRL.MP.8375/2018)

Order : These petitions coming on for orders upon perusing the petition and upon hearing the arguments of M/S.D.R.ARUN KUMAR, Advocate for the petitioner (IN BOTH THE PETITIONS) and of Mr.C.RAGHAVAN, Government Advocate (Crl.Side) on behalf of the Respondent (IN BOTH THE PETITIONS) the court made the following order:-

This is a case of ATM fraud, in which, this petitioner and the co-accused had taken away Rs.1,39,60,300/-. This Court was not inclined to grant anticipatory bail to the petitioners. But, however, on the representation of the petitioners that they would repay Rs.2,00,000/- without prejudice to their defence to the defacto-complainant, anticipatory bail was granted in Crl.O.P.No. 17763 of 2017 on 12.09.2017. While so, the petitioners have filed these present petitions for modification of the said condition and also for extension of time.

2. The learned counsel for the petitioners submitted that the arrested accused, namely A1 to A5 were responsible for

misappropriation that these petitioners were not at all connected with the offence. This Court had gone in to all these aspects, while granting anticipatory bail in CrI.O.P.No.17763 of 2017 and therefore, the same cannot be canvassed now. Hence, the condition in paragraph 6 (a) in the order dated 12.09.2017 in CrI.O.P.No.17763 of 2017 cannot be modified.

3. The learned counsel for the petitioner submitted that in condition No.6(c), this Court has directed the petitioners to report before the Judicial Magistrate No.I, Udumalpet at 10.30 a.m. and the respondent police at 6.30 p.m. and that, the distance between the Police Station and the Court of the Judicial Magistrate No.I, Udumalpet is 80 kms and therefore, learned counsel for the petitioner sought modification of condition No.6(c).

4. Accepting the submission, condition No.6(c) is modified to the effect that the petitioners shall report before the respondent police everyday at 10.30 a.m until further orders.

With the above modification, CrI.M.P.No.8375 of 2017 is ordered.

5. Four weeks time is extended from the date of receipt of a copy of this order to comply with the conditions imposed by this Court in the order dated 12.09.2017 in CrI.O.P.No.17763 of 2017.

-sd/-
04/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.I, UDUMALPET.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUPPUR. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
COIMBATORE DISTRICT.

C.C. to M/S.D.R.ARUN KUMAR Advocate on payment of necessary charges

Order

in
CRL MP.Nos.8374 & 8375/2018

in
CRL OP.17763/2017

Date :04/07/2018

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
ths : 10.07.2018