

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2018

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.No.29329 of 2018

David

.. Petitioner

Vs.

The State rep. by
Inspector of Police,
P-6, Kodungaiyur Police Station,
Kodungaiyur, Chennai-118.
Crime No.643 of 2018

.. Respondent

PRAYER:Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code directing to Chief Metropolitan Magistrate, Egmore to accept and to treat that the fixed deposit done by Petitioner for sum of Rs.7,00,000/- in F.D.No.168104000000973, dated 27.11.2018 in the Indian Overseas Bank, V-House Branch, Chennai, as deposited by V Metropolitan Magistrate at Egmore before the Bank in the Crime No.643 of 2018 on modifying the order in Crl.O.P.No.12952 of 2018, dated 12.09.2018.

For Petitioner : Mr.V.Logeswaren

For Respondent : Mr.R.Ravichandran
Government Advocate (Criminal Side)

O R D E R

This petition has been filed by the petitioner to direct the Chief Metropolitan Magistrate, Egmore to accept and to treat that the fixed deposit done by Petitioner for sum of Rs.7,00,000/- in F.D.No.168104000000973, dated 27.11.2018 in the Indian Overseas Bank, V-House Branch, Chennai, as deposited by V Metropolitan Magistrate at Egmore before the Bank in the Crime No.643 of 2018 on modifying the order in Crl.O.P.No.12952 of 2018, dated 12.09.2018.

2.This Court while granting anticipatory bail to the petitioner imposed a condition in Crl.O.P.No.12952 of 2018 dated 12.09.2018, specifically in paragraph 6(a) of the order which

reads as follows:

"6.(a) the petitioner shall deposit a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) to the credit of Crime No.643 of 2018 before the learned Magistrate within a period of four weeks, before furnishing the sureties. Thereafter, the said amount shall be deposited in any one of the Nationalised Banks under the fixed deposit scheme."

3.The petitioner instead of depositing the conditional amount of Rs.7,00,000/- to the credit of Crime No.643 of 2018, he has deposited the said amount of Rs.7,00,000/- directly in the I.O.B. and obtained fixed deposit in the name of "Chief Metropolitan Magistrate, Egmore", which is contrary to the order passed by this Court. Hence, the Trial Court directed the petitioner to approach this Court for appropriate orders to rectify the mistake.

4.The condition imposed by this Court in Crl.O.P.No.12952 of 2018, dated 12.09.2018 has not been complied with by the petitioner as directed by this Court.

5.Accordingly, the petitioner is hereby directed to deposit the said sum of Rs.7,00,000/- (Rupees Seven Lakhs only) to the credit of Crime No.643 of 2018 as directed by this Court in Crl.O.P.No.12952 of 2018, dated 12.09.2018. The time for complying with the condition is extended by a further period of two weeks.

6.Thereafter, the learned Magistrate shall deposit the said amount of Rs.7,00,000/- (Rupees Seven Lakhs only) in any one of the Nationalised Banks under the Fixed Deposit. The other conditions in the order in Crl.O.P.No.12952 of 2018, dated 12.09.2018 stands unaltered.

7.Accordingly, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

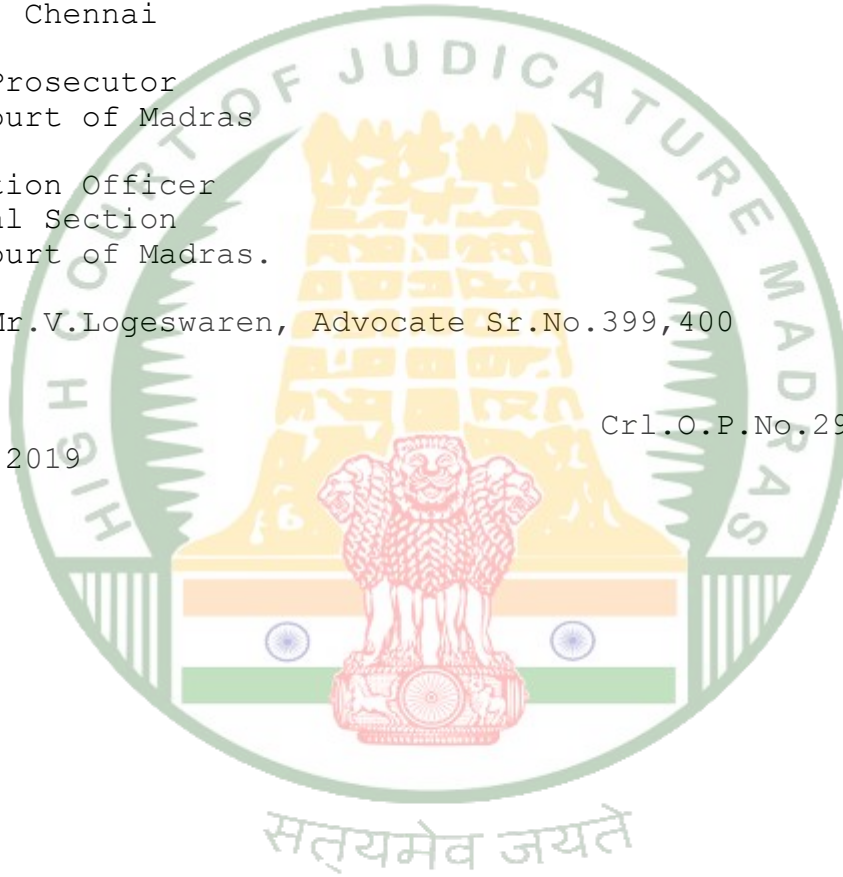
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To.

1. Inspector of Police
P-6, Kodungaiyur Police Station
Kodungaiyur, Chennai-118
Crime No.643 of 2018
 2. The Chief Metropolitan Magistrate,
Egmore, Chennai
 3. The V Metropolitan Magistrate
Egmore, Chennai
 4. Public Prosecutor
High Court of Madras
 5. The Section Officer
Criminal Section
High Court of Madras.
- +4 cc to Mr.V.Logeswaren, Advocate Sr.No.399,400

CSL/21.01.2019

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