



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD).No.21202 of 2018

S.Karthikeyan

.. Petitioner/Sole Accused

Vs.

State represented through,
The Inspector of Police,
Srirangam Crime Police Station,
Trichy District.
(Crime No.733 of 2018)

.. Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 439 (1)(b) of Criminal Procedure Code, to modify the order, dated 22.11.2018 in Cr.M.P.No.5100 of 2018 on the file of the Principal Sessions Judge, Trichy.

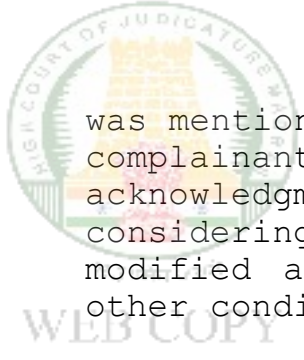
For Petitioner	: Mr.R.Alagumani
For Respondent	: Mr.K.Suyambulinga Bharathi Government Advocate (Crl. Side)

O R D E R

This petition has been filed by the petitioner seeking to modify the order, dated 22.11.2018 in Cr.M.P.No.5100 of 2018 on the file of the Principal Sessions Judge, Trichy.

2.The learned counsel for the petitioner submits that the petitioner was granted bail by the Principal Sessions Judge, Trichy, on condition to deposit a sum of Rs.16,37,000/- and executing a bond for a sum of Rs.10,000/- with two sureties and also directs the petitioner to appear before the respondent police daily at 10.00 a.m. until further orders. Thereafter, since the petitioner was unable to mobilize the deposit amount of Rs.16,37,000/-, he cannot comply with the condition imposed by the Principal Sessions Judge, Trichy. Hence, he has filed a petition sought for modification of the condition before the Principal Sessions Judge, Trichy, as "to produce the concerned vehicle which has been hypothecated with the defacto complainant" instead of "depositing the amount of Rs.16,37,000/-" which was dismissed. Hence, the petitioner has preferred this Criminal Original Petition for modification.

3.Today, the petitioner had produced the evidence for Vehicle being parked in the Parking Yard of Alagesan Parking Inn, wherein it



was mentioned that the vehicle is in running condition. The defacto complainant acknowledging the receipt of the vehicle had given an acknowledgment letter, dated 05.12.2018. Considering the same and considering the incarceration of the petitioner, the condition is modified as "the petitioner shall not deposit any amount". The other conditions remain unchanged.

Sd/-
Assistant Registrar (CS-V)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

- 1.The Principal Sessions Judge, Tiruchirappalli.
- 2.The Judicial Magistrate No.IV, Judicial Magistrate No.III (FAC),
Tiruchirappalli.
- 3.The Inspector of Police,
Srirangam Crime Police Station,
Trichy District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2cc to Mr.R.Alagumani Advocate in SR.No.92741,22610

Cr1.O.P. (MD) .No.21202 of 2018
05.12.2018

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