

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:23.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.No.974 of 2019

Sheik Dawood

... Petitioner

Vs.

State Represented by
Inspector of Police,
C-3 Seven Wells Police Station,
Chennai.
(Crime No.659 of 2018)

... Respondent

Prayer: Criminal Original petition filed under Section 482 of the Criminal Procedure Code, to modify the bail condition imposed on the petitioner in Cr.M.P.No.108 of 2019 order dated 04.01.2019 that "the petitioner shall deposit title deeds worth Rs.5 lakhs before the said Magistrate" on the file of learned Sessions Judge, Chennai, pending investigation in C-3 Seven Wells P.S.Cr.No.659 of 2018.

For Petitioner : Mr.Prince Premkumar

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to modify the conditions imposed by the Court below while granting bail to the petitioner.

2. The respondent police registered an FIR in Cr.No.659 of 2018 for an offence under Sections 341, 294 (b) and 397 IPC. This petitioner was arrested and remanded to judicial custody and he served nearly 54 days as an under trial prisoner. The petitioner filed a petition seeking for bail and the Court below, considering the facts and circumstances of the case, granted bail to the petitioner by imposing certain conditions.

3. The learned counsel for the petitioner submitted that the petitioner is aggrieved with condition 5 (a), which stipulates that the petitioner should deposit title deeds worth

Rs.5,00,000/- before the Magistrate. The learned counsel submitted that the petitioner does not own any property, which is worth Rs.5,00,000/- and therefore the petitioner must be permitted to deposit the title deed of his relatives in order to fulfil the condition imposed by the Court below.

4. The offer made by the petitioner is reasonable and therefore this Court is inclined to modify the condition.

5. The condition 5 (a) imposed by the Court below is modified to the extent that the petitioner's* relatives, shall deposit title deed* worth Rs.5,00,000/- before the Magistrate. The other conditions imposed by the Court below shall stand as they are.

6. Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CCC)
Dated: 23.01.2019

*** Corrected as per order
dated 31.01.2019 in
Crl.O.P.No.974 of 2019.**

**sd/- Assistant Registrar(CS IV)
Dated: 20.02.2019**

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
C-3 Seven Wells Police Station,
Chennai. To be substituted to the
order already despatched
on 08.02.2019
2. The Public Prosecutor,
Madras High Court.
3. The Principal Sessions Judge,
Chennai.

+1cc to M/s.P.Prince Premkumar, Advocate, S.R.No.15262.

Crl.O.P.No.974 of 2019

PP(CO)
KAK(23/01/2019)
SP(07/02/2019)
SP(20/02/2019)