

THE HIGH COURT OF JUDICATURE AT MADRAS

Date : 30.01.2019

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.2413 of 2019

M.Vadivel

... Petitioner

Vs.

State rep. by
The Inspector of Police,
B-7, Vellavedu Police Station,
Thiruvallur District.

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the order passed on 10.01.2019 in Crl.M.P.No.189 of 2019 on the file of the learned Principal District and Sessions Judge at Thiruvallur (FAC) with a condition that the petitioner was directed to deposit Rs.10,000/- instead of Rs.40,000/- before the Magistrate.

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

ORDER

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

2. An FIR was registered by the respondent police for an offence under Sections 379, 430 IPC r/w 36 (A) MMDR Act.

3. The case of the prosecution is that the petitioner had illegally transported half unit of river sand.

4. The Court below, while granting anticipatory bail to the petitioner, imposed various conditions. One of the condition was that the petitioner has to deposit a sum of Rs.40,000/-.

5.The learned counsel for the petitioner submitted that this condition is onerous and the petitioner is not in a position to comply with the condition due to financial-constraints.

6. Taking into consideration the facts and circumstances of the case, the order passed by the Court below is modified to the extent that the petitioner shall deposit a sum of Rs.5,000/- within a period of one week from the date of receipt of a copy of this order. The other conditions imposed by the Court below shall stand as it is.

7. In view of the above, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To:

- 1.The Principal District and Sessions Judge,
Thiruvallur (FAC).
- 2.The Inspector of Police,
B-7, Vellavedu Police Station,
Thiruvallur District..
- 3.The Public Prosecutor,
Madras High Court.

+1cc to Mr.N.Suriamuthu, Advocate, S.R.No.7346

CrI.O.P.No.2413 of 2019

RSK(CO)
GSP(31/01/2019)

सत्यमेव जयते

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