

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.7247 of 2019

Kumar

...Petitioner

Vs.

The State represented by
Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.
(Crime No.58 of 2019)

...Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the conditions imposed by the Principal District and Sessions Judge, Thiruvallur in Crl.M.P.No.852 of 2019, dated 15.02.2019.

For Petitioner : Mr.B.Mohan Raj

For Respondent : Mr.C.Raghavan
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed seeking to modify the condition imposed by the Principal District and Sessions Judge, Thiruvallur in Crl.M.P.No.852 of 2019, dated 15.02.2019, while granting anticipatory bail to the petitioner.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the State.

3. The learned counsel for the petitioner would submit that the petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 379, 430 of IPC r/w 36(A) of MMDR Act in Crime No.58 of 2019. He would further submit that the petitioner has filed a petition seeking for anticipatory bail before the Court below and was released on bail on the following conditions.

"On executing a bond for Rs.10,000/- with two sureties for the likesum to the satisfaction of the Judicial Magistrate No.II, Poonamallee and the petitioner is directed to deposit Rs.40,000/- before the said Magistrate and the petitioner shall surrender before the said Magistrate within 15 days and further directed to sign before the respondent police daily at 10.00 a.m., until further orders".

4. The learned Government Advocate (Crl.Side) appearing for the State would submit that the petitioner has not complied with the condition imposed by the Court below. Hence, he vehemently opposed to modify the condition.

5. Taking into consideration the nature of the allegation and the submissions made by the learned Government Advocate (Crl.Side), this Court is not inclined to modify the condition in Crl.M.P.No.852 of 2019 dated 15.02.2019. However, this Court is inclined to extend the time to the petitioner shall deposit a sum of Rs.40,000/- (Rupees forty thousand only) before the Judicial Magistrate No.II, Poonamallee, on or before 29.03.2019.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mpa/lpp

To

1. The Judicial Magistrate No.II, Poonamallee.

2. The Principal District and Sessions Judge,
Thiruvallur.

3. The Inspector of Police,
Vellavedu Police Station, Thiruvallur District.

4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.B.Mohan Raj, Advocate, S.R.No.26455

Crl.O.P.No.7247 of 2019

SV(CO)
CS/24/04/2019
CS/03/05/2019