

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.16535 of 2019

Lakshmanan

Petitioner

-Vs-

State rep by:
Inspector of Police,
Thiruvelangadu Police Station,
Thiruvallur District.
(Crime No.195 of 2019)

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to modify the condition imposed by the learned Principal District and Sessions Judge at Thiruvallur in Crl.M.P.No.2884 of 2019 by an order dated 17.06.2019 "to deposit Rs.40,000/- before Judicial Magistrate, Thiruthani".

For Petitioner : M/s.S.Suresh

For Respondents: 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. The respondent police registered an FIR in Crime No.195 of 2019 for an offence under Section 379 and 430 of IPC. The allegation is with regard to the illegal transportation of river sand using Tipper Lorry. The petitioner is shown as the owner of the Tipper Lorry.

3. The Court below, while granting anticipatory bail imposed various conditions against the petitioner and one of the

condition is that the petitioner shall deposit a sum of Rs.40,000/- before the Judicial Magistrate Court, Tiruthani. This condition has been put to challenge in this petition.

4. The learned counsel for the petitioner submitted that there are no previous cases as against this petitioner and the quantity of sand that was transported is 1/2 unit and therefore the condition imposed by the Court below is disproportionate to the allegation made in the complaint.

5. Taking into consideration, the facts and circumstances of the case, this Court is inclined to modify the condition to the effect that the petitioner shall deposit a sum of Rs.10,000/- instead of Rs.40,000/- imposed by the Court below. The other condition shall stand as it is. The time granted by the Court below for surrender is extended by a further period of ten days from today. It is made clear that no further extension of time shall be granted by this Court.

6. This Criminal Original Petition is disposed of accordingly.
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Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Thiruvallur.

2.The Judicial Magistrate,
Thiruthani.

3.The Public Prosecutor,
High Court of Madras,
Madras.

4. The Inspector of Police,
Thiruvengadam Police Station,
Thiruvallur Dist.

+lcc to Mr.S.Suresh, Advocate, SR.No.53780

Cr1.O.P No.16535 of 2019

Kak(28/06/2019)