

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2019

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.19805 of 2019

J.Abirami

... Petitioner/Accused

vs.

State by

The Sub Inspector of Police

R-2, Kodambakkam Police Station,

Chennai.

... Respondent/Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to set aside the order passed by the Principal Sessions Judge, Chennai in Crl.M.P No.13774 of 2019 dated 19.07.2019 and modify one of the condition imposed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P No.2258 of 2019 in Paragraph 5(iii) that the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One lakh Fifty thousand only).

For Petitioner : Mr.G.Ashok Kumar

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

ORDER

This petition has been filed seeking to set aside the order passed by the Principal Sessions Judge, Chennai in Crl.M.P No.13774 of 2019 dated 19.07.2019 and modify one of the condition imposed by the learned XVII Metropolitan Magistrate, Saidapet, Chennai in Crl.M.P No.2258 of 2019 in Paragraph 5(iii) that the petitioner shall deposit a sum of Rs.1,50,000/- (Rupees One lakh Fifty thousand only).

2. This Court passed the following order on 25.07.2019:

This Criminal Original Petition filed challenging the condition imposed by the Court below while granting bail to the petitioner.

2. The petitioner who was added as A-2, in the FIR in Cr.No.91 of 2019, for an offence under Section 406 and 420 of IPC, was arrested and remanded to judicial custody on 03.07.2019. The petitioner filed a bail petition before the Court below and the Court below after considering the facts and circumstances of the case, granted bail to the petitioner by imposing certain conditions. One of the condition imposed by the Court below was that the petitioner was directed to

deposit a sum of Rs.1,50,000/-.

3. Aggrieved by this condition, the petitioner approached the Sessions Court, seeking for relaxation of the condition. The Sessions Court confirmed the order of the learned Magistrate and aggrieved by the same, the present petition has been filed before this Court.

Taking into consideration the facts and circumstances of the case, this Court is inclined to grant an interim bail to the petitioner subject to the following conditions:

[a] The petitioner shall execute a bond for a sum of Rs.10,000/- with one surety for a likesum.

[b] The petitioner shall deposit a sum of Rs.1,50,000/- within a period of four weeks from today, in Cr.No.91 of 2019, before the XVII Metropolitan Magistrate Court, Saidapet, Chennai.

[c] The petitioner shall report before the respondent Police on every Monday, Wednesday and Friday at 10.30 a.m, for a period of four weeks.

Post this case on 22.08.2019.

3. The learned counsel for the petitioner submitted the receipt for the deposit of a sum of Rs.1,50,000/- before the Court below on 21.08.2019. The said receipt is taken on file.

4. In view of the compliance of the condition imposed by this Court, the bail granted by this Court is made absolute.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The XVII Metropolitan Magistrate, Saidapet, Chennai
2. -Do-Thro' The Chief Metropolitan Magistrate, Egmore, Chennai.
3. The Sub Inspector of Police
R-2, Kodambakkam Police Station, Chennai.
4. The Public Prosecutor High Court of Madras.

+1 cc to M/s.G.Ashok Kumar,Advocate Sr.No. 72249

AKM/17.09.19/2P-6 C /

CrI.O.P No.19805 of 2019c