

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.04.2019

CORAM
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.950 of 2017

K.Madhu

... Petitioner

Vs

State rep by
The Deputy Superintendent of Police,
CCIW, CID, Dharmapuri,
Dharmapuri District.
(Crime No.5 of 2016)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the condition imposed on the petitioner herein by the learned Principal Sessions Judge, Dharmapuri in Crl.M.P.No.13 of 2017 vide the order dated 04.01.2017 with only normal sureties to the satisfaction of the learned Judicial Magistrate, Palacode instead of deposit of Rs.2,00,000/-.

For Petitioner : Mr.R.Thamaraiselvan

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

O R D E R

This petition has been filed to modify the condition imposed on the petitioner herein by the learned Principal Sessions Judge, Dharmapuri in Crl.M.P.No.13 of 2017 vide the order dated 04.01.2017 with only normal sureties to the satisfaction of the learned Judicial Magistrate, Palacode instead of deposit of Rs.2,00,000/-.

2.Heard the learned Counsel for the petitioner and learned Government Advocate (Crl. Side) for the respondent.

3.The case of the prosecution is that the petitioner stated that the condition of deposit of Rs.2,00,000/- is a huge amount and highly unfair. Further the case was registered for the alleged misappropriation of Rs.2,20,000/- by the petitioner along with other three accused. While this being so, the condition of depositing Rs.2,00,000/- is excessive and the petitioner is not able to deposit such exorbitant amount. Hence, the petitioner filed this Criminal Original Petition.

4.The learned Government Advocate (Crl. Side) submitted that they completed the investigation and also filed the charge sheet in Crime No.5 of 2016 before the learned Judicial Magistrate, Palacode for the offences under Sections 408, 465, 471, 477A and 120B of IPC. Considering the above facts and circumstances, the condition imposed in the order dated 04.10.2017 is modified to the effect that instead of depositing Rs.2,00,000/- to the credit of the Crime No.5 of 2016 on the file of the Judicial Magistrate, Palacode, the petitioner shall appear before the Judicial Magistrate, Palacode daily for the period of 30 days from the date of receipt of a copy of this order.

5.With the above observations, this Criminal Original Petition is modified.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rna

To

- 1.The Principal Sessions Judge,
Dharmapuri.
- 2.The Judicial Magistrate,
Palacode.
- 3.The Deputy Superintendent of Police,
CCIW, CID, Dharmapuri,
Dharmapuri District.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.950 of 2017

SSI (CO)

RRS (28/05/2019)

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