

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eighteenth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA
CRIMINAL MISCELLANEOUS PETITION No.13394 of 2019
IN CRL.R.C.NO.702/2019

CHANDRA KUMAR [PETITIONER]
PROPRIETOR,
M/S.PAYANAM TRAVEL TOURISM,

Vs

M/S.JETAIR TOURS P.LTD., [RESPONDENT]
REP.BY MR.S.BASKAR
ITS AUTHORIZED OFFICIAL,

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the conditions imposed in the order dated 19/07/2019 passed in Crl.M.P.No.9827/2019 in Crl.R.C.No.702/2019 1)The petitioner shall deposit a sum of Rs.5,00,000/- within eight weeks from the date of receipt of a copy of this order before the Trial Court to the petitioner shall deposit a sum of Rs.3,00,000/- within 4 weeks from the date of receipt of a copy of this order before the trial court and[iii]After such deposit, the petitioner shall execute a bond for a sum of Rs.10,000/-[Rupees Ten Thousand Only]each, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the XX Metropolitan Magistrate court, chennai to After such deposit the pettioenr shall execute a bond for a sum of Rs.10,000/-[Rupees Ten Thousand only]each with two sureties each for a like sum to the satisfaction of the XX Metropolitan Magistrate court,chennai CRL.MP.NO.9827 OF 2019 IN CRL.R.C.NO.702 OF 2019 ORDER DATED 19.07.2019.[crl.MP.NO.13394/2019]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.M.DEIVANANDAM, Advocate for the petitioner , the court made the following order:-

The above petition is filed seeking to modify the conditions imposed in the order dated 19.07.2019 passed in Crl.MP.No.9828/2019 in Crl.RC.No.702/2019 by this Court.

2 The learned counsel for the petitioner would submit that this Court vide order dated 19.07.2019, while exempting the petitioner from surrendering and also granting suspension of sentence, had directed the petitioner to deposit a sum of

Rs.5,00,000/- within a period of eight weeks from the date of receipt of copy of that order, apart from other conditions. He would submit that the copy of the order was received by the petitioner on 24.07.2019 and while the petitioner was taking steps to comply with the order an unfortunate incident took place in his family, that his wife committed suicide on 04.09.2019 on account of misunderstanding due to financial difficulty in respect of which a case in Cr.No.393/2019 has been registered by the Kalkadu Police Station under Section 174 (3) of Cr.P.C. He would further submit that the petitioner is put to extreme financial difficulty and stress due to the sudden death of his wife and thereby being unable to comply with the condition of depositing a sum of Rs.5,00,000/- before the trial Court, has filed the present petition seeking to modify the condition and extension of time to surrender.

3 Taking into consideration the submissions made by the learned counsel for the petitioner, this Court passes the following directions:-

- (1) The **deposit amount of Rs.5,00,000/-** as directed by this Court vide order dated 19.07.2019, **is modified** and the petitioner is directed to **deposit** a sum of **Rs.3,00,000/-** [Rupees Three Lakhs only] before the learned XX Metropolitan Magistrate, Chennai.
- (2) The said modified amount of deposit, viz., Rs.3,00,000/- [Rupees Three Lakhs only] shall be deposited within a period of four weeks from the date of receipt of a copy of this order.
- (3) The other conditions remain unaltered.

4 The petition is ordered accordingly.

-sd/-
18/09/2019

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
NO.XX, CHENNAI

2 THE CHIEF METROPOLITAN
MAGISTRATE, EGMORE [FOR INFORMATION]

+2 C.C. to M/S.M.DEIVANANDAM Advocate on payment of necessary
charges SR.NO. 19489, 19490

Order

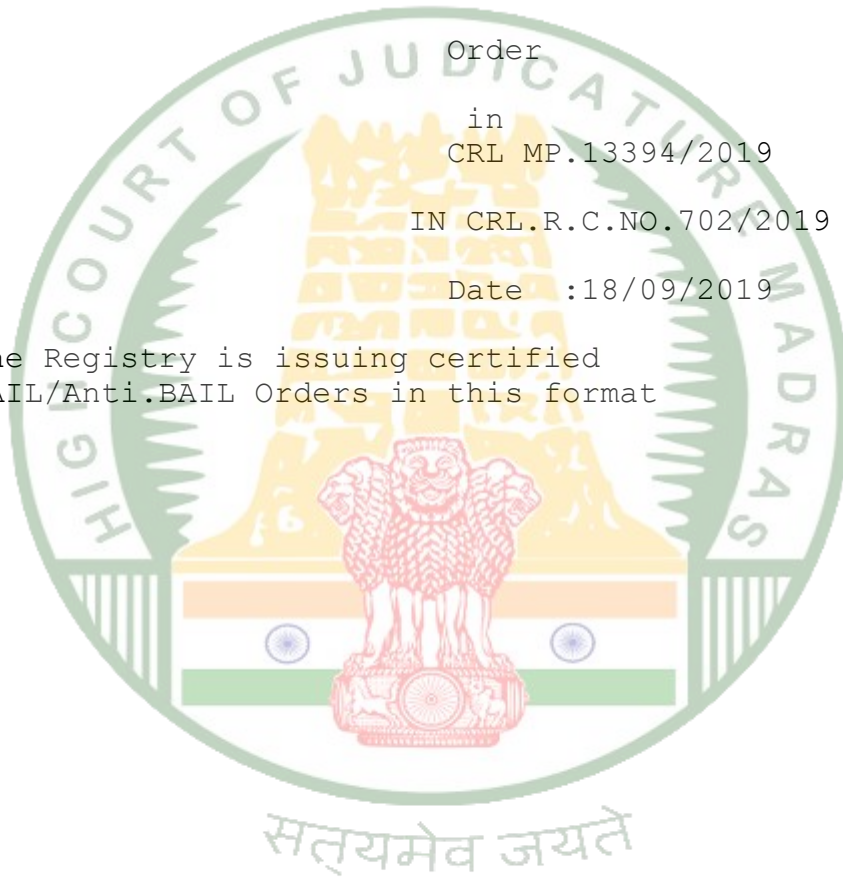
in

CRL MP.13394/2019

IN CRL.R.C.NO.702/2019

Date : 18/09/2019

From 7.2.2001 the Registry is issuing certified
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RD 18/09/2019



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