

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

Crl.O.P.No.25310 of 2019

N.Sathish

... Petitioner

Vs.

State Rep. by  
The Inspector of Police,  
Central Crime Branch-VII Team,  
Commissioner's Office,  
Vepery, Chennai.

... Respondent

Prayer:

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed on the petitioner to deposit a sum of Rs.5 lakhs ordered in Crl.M.P.No.18378 of 2019 dated 10.09.2019 on the file of the Principal Sessions Court, Chennai.

For Petitioner : Mr.P.D.Selvaraj

For Respondent : Mr.C.Iyyapparaj  
Additional Public Prosecutor

O R D E R

The petitioner, who was arrayed as an accused, had been granted bail by the learned Principal Sessions Judge, Chennai on 10.09.2019 in Crl.M.P.No.18378 of 2019, on certain conditions.

2. It is now a settled law that when a Court considers a statutory bail, onerous condition cannot be imposed and the Court has to satisfy itself with the only requirement as to whether the accused persons are prepared to furnish bail. Useful reference can be made to the Judgement of this Court in 2019 1 LW(Crl.) 387 in the case of Umadevi Vs. The State Rep. by the Inspector of Police, EOW II, Coimbatore. Therefore, the condition imposed by the Court below to deposit Rs.5,00,000/- requires interference and since the petitioner is not in a position to comply with the said condition, they are not able to come out on bail till today.

3. In the result, the condition imposed by the Court below in paragraph 6(b) of the order in CrI.M.P.No.18378 of 2019, directing the petitioner to deposit a sum of Rs.5,00,000/- (Rupees five lakhs only) to the credit of Crime No.210 of 2019 is modified to the effect that the petitioner shall execute a bond for a sum of Rs.5,00,000/- with two sureties for a like sum, before the learned Metropolitan Magistrate, Chennai.

4. All other observations made in the earlier order dated 10.09.2019 in CrI.M.P.No.18378 of 2019 shall remain intact.

5. Accordingly, this Criminal Original Petition stands ordered.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Principal Sessions Judge,  
Chennai.
2. The Inspector of Police,  
Central Crime Branch-VII Team,  
Commissioner's Office,  
Vepery, Chennai.
3. The Public Prosecutor,  
High Court of Madras.

Copy To

The Metropolitan Magistrate,  
Egmore, Chennai.

+2cc to Mr.P.D.Selvaraj, Advocate, S.R.No.80866

CrI.O.P.No.25310 of 2019

PA(CO)  
CS/23/09/2019