



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

CRL.O.P.No.32431 of 2019

Ayyappan

... Petitioner

Vs.

The State Rep. by
The Inspector of Police,
Chengalpattu Taluk Police Station,
Kancheepuram District.
Cr.No.402 of 2019.

...Respondent/complainant

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to modify the condition No.(ii) imposed in order passed by the learned Principal District and Sessions Judge of Kancheepuram at Chengalpattu on 14.11.2019 in CRL.MP.No.5474 of 2019 directing the petitioner to deposit a sum of Rs.1,00,000/- to the Jurisdictional Tahsildar.

For Petitioner : M/s.C.Mageshkumar

For Respondent : Mr.M.Mohamed Riyaz,

Additional Public Prosecutor

O R D E R

This petition has been filed seeking to modify the condition No.(ii) imposed in order passed by the learned Principal District and Sessions Judge of Kancheepuram at Chengalpattu on 14.11.2019 in CRL.MP.No.5474 of 2019 directing the petitioner to deposit a sum of Rs.1,00,000/- to the Jurisdictional Tahsildar.

2. The petitioner was arrested by the respondent police and was remanded to Judicial custody for the offences under Sections 430 and 379 IPC r/w 21(1) MM (D&R) Act, 1957.

3. The Court below considering the facts and circumstances of the case imposed a condition that the petitioner is directed to deposit a sum of Rs.1,00,000/- before the Jurisdictional Tahsildar concerned and on such deposit, the said amount has to be deposited by the Jurisdictional Tahsildar concerned to the credit of the District Mines and Minerals Foundation Trust as Non-refundable deposit.



4. The learned counsel for the petitioner submitted that the condition imposed by the Court below is onerous and the petitioner is not in a position to comply with the condition due to his financial constraints.

5. In the facts and circumstances of the case, the order of the Court below is modified and the petitioner is directed to deposit a sum of Rs.10,000/-before the Jurisdictional Tahsildar concerned to the credit of the District Mines and Minerals Foundation Trust as Non-refundable deposit. Except the above modification, the other conditions imposed by the Court below shall stand unaltered.

6. Accordingly, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
Chengalpattu Taluk Police Station,
Kancheepuram District.

2.The Public Prosecutor,
High Court, Madras.

3.The Tahsildar, Chengalpet.

+1 cc to M/s.G.Magesh Kumar,Advocate Sr.No. 101287

AKM/04.12.19/2P-5C /

CRL.O.P.No.32431 of 2019