



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2019

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.No33239 of 2019

Mohammed SiraJudeen

... Petitioner

Vs.

State Rep. By
Inspector of Police,
CBCID Metro Wing CBCID,
Egmore, Chennai

... Respondent

PRAYER: Criminal Original petitions have been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the condition Clause No. (a) imposed by the learned Metropolitan Magistrate for Exclusive trial of CCB and CBCID Cases, Chennai in Crl.M.P.No.25590 of 2019 dated 27.11.2019.

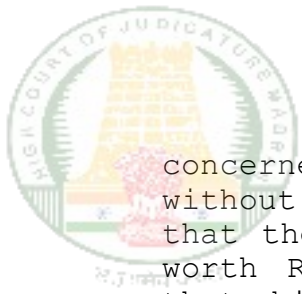
For Petitioner	: Mr.M.Balaji
For Respondent	:Mrs.S,Thankira
	Government Advocate (Crl. Side)

O R D E R

This Criminal Original petition has been filed seeking modification of the bail condition imposed on 27.11.2019 in Crl.M.P.No.25590 of 2019 by the learned Metropolitan Magistrate for Exclusive trial of CCB and CBCID Cases, Chennai.

2. The petitioner is alleged to be the Finance Manager in the company called M/s.TSN EcoTech International Private Limited, of which, even A1 and A2 are the directors. The allegation is that A1 to A3 are in context of their business have forged a false bank guarantee issued by M/s. HDFC Bank and have purchased i-phones worth Rs.1.5 Crores from the defacto complainant. Bail has been granted to the petitioner vide dated 27.11.2019 by the Court of Sessions, Chennai in Crl.M.P.No.25590 of 2019. One of the bail condition stipulated was that "the petitioner shall deposit the original title deeds worth about Rs.25 lakhs before the said Court".

3. The learned counsel for the petitioner submitted that the petitioner is a mere employee under A1 to A3. A1 is the prime accused when he was arrested and released on bail by the



concerned Magistrate within a period of 10 days of his arrest without any condition by the learned Sessions Judge. He added that the petitioner is only an employee that he has no property worth Rs.25 lakhs to offer as security. However, he conceded that his family has one property which is outstanding on a mortgage and this property which is comprised in Survey No.625/6 at Manaparai Taluk.

4. In view of the conditions imposed by the learned Sessions Judge to a specific query to the learned Government Advocate (Crl.Side), it is submitted that the investigation agency has not moved the Sessions Court for cancellation of bail to A1. Since, A1 is one of the directors of the company and it is stated to be now managing the affairs of the company himself was not imposed with any conditions such as now A4 faces, this Court deems it appropriate to modify the conditions.

5. In view of the above, the petitioner is hereby directed to execute such necessary documents to offer the property in Survey No.625/6 at Manaparai Taluk, original title deeds given as collateral". The other conditions shall remain intact.

6. Accordingly, this Criminal Original petition is ordered.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

rri/ssn
To

- 1.The Principal Sessions Judge,
The Court of Sessions, Chennai.
- 2.The Metropolitan Magistrate for exclusive trial of CCB
and CBCID Cases, Chennai.
3. The Inspector of Police, CBCID Metro Wing,
Egmore, Chennai.
- 4.The Public Prosecutor,
Madras High Court.
+lcc to Mr.M.Balaji , Advocate SR.No. 105031(17/12/2019)
Crl.O.P.No33239 of 2019
A.SK(17/12/2019)