

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.30415 of 2018

Lakshmi Kadumbadi @ Lakshmi

.... Petitioner/Petitioner/2nd Accused

Vs.

The State, Rep. by
The Inspector of Police,
Central Crime Branch,
Team-IX, Office of the Commissioner
of Police, Vepery, Chennai-600 003
(Crime No.117/2016)

.... Respondent/Respondent/Complainant

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to modify the order dated 11.12.2018 made in Crl.M.P.No.21250/2018 in Crime No.117/2016 on the file of Respondent police pertaining to Para 6 "(a) The Petitioner shall deposit title deeds worth Rs.10 lakhs before the Magistrate" by deleting the same and consequently, set aside the order dated 19.12.2018 made in Crl.M.P.No.21818/2018 and thereby extend time to furnish surety.

For Petitioner : Mr.R.Ravindran

For Intervenor : Mr.M.Shankar

For Respondent : Mrs.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

This petition has been filed for modification of the conditions imposed by the learned Principal Sessions Judge, City Civil Court, Chennai in Crl.M.P.No.21250 of 2018 dated

11.12.2018.

2. While granting anticipatory bail to the petitioner in respect of the offence under sections 406, 420 and 506(ii) of IPC in Crime No.117 of 2016, the lower Court has directed the petitioner to deposit the title deeds worth Rs.10 lakhs before the Metropolitan Magistrate for exclusive trial of CCB and CBCID Cases, Chennai and the petitioner was ordered to be released on bail in the event of arrest or on her appearance within a period of fifteen days from the date of receipt of a copy of order before the said Magistrate on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- each with two sureties for a like sum each to the satisfaction of the respondent police or the police who intends to arrest or to the satisfaction of the learned Magistrate, and to report before the respondent daily at 10.30 a.m for a period of one month. Thereafter, she sought for modification of the conditions imposed by the Principal Sessions Judge, City Civil Court, Chennai in Crl.M.P.No.21818 of 2018 in Crl.M.P.No.21250 of 2018 and the same was dismissed on 19.12.2018.

3. The learned counsel for the petitioner would contend that the entire alleged transactions are between the 1st accused and the de-facto complainant and the petitioner did not sign in the alleged cheques. He would further submit that the petitioner does not possess any immovable property of her own and due to matrimonial dispute, the petitioner along with her 3 years old kid left the matrimonial home and is living with her mother. The petitioner is wholly depending on her mother and therefore, she is unable to comply with the conditions which is highly impossible and hence, he prays to modify the said condition by deleting the same and consequently set aside the order dated 19.12.2018.

4. The learned counsel for the petitioner wants modification of the conditions imposed by the learned Principal Sessions Judge, Chennai.

5. The learned Additional Public Prosecutor would submit that the petitioner involved in huge and grave crime. Therefore, she sought for dismissal of this petition seeking modification.

6. In view of the above discussions, this Court is inclined to modify the condition No.6(a) imposed by the Principal Sessions Judge, Chennai. Accordingly, the condition 6(a) of the order dated 11.12.2018 on the file of the Court of the Principal Sessions Judge, stands deleted. The other conditions remain unaltered. Further, one week time is extended for execution of sureties from the date of receipt of a copy of this order.

7. This Criminal Original Petition is ordered accordingly.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Inspector of Police,
Central Crime Branch
Team-IX, Office of the Commissioner
of Police, Vepery, Chennai-600 003.
2. The Public Prosecutor,
High Court of Madras, Chennai.

Copy to:-

The Section Officer,
Criminal Section,
Madras High Court, Madras.

+1cc to Mr.R.Ravindran, Advocate, S.R.No.9543
+1cc to Mr.M.Sankar, Advocate, S.R.No.9852

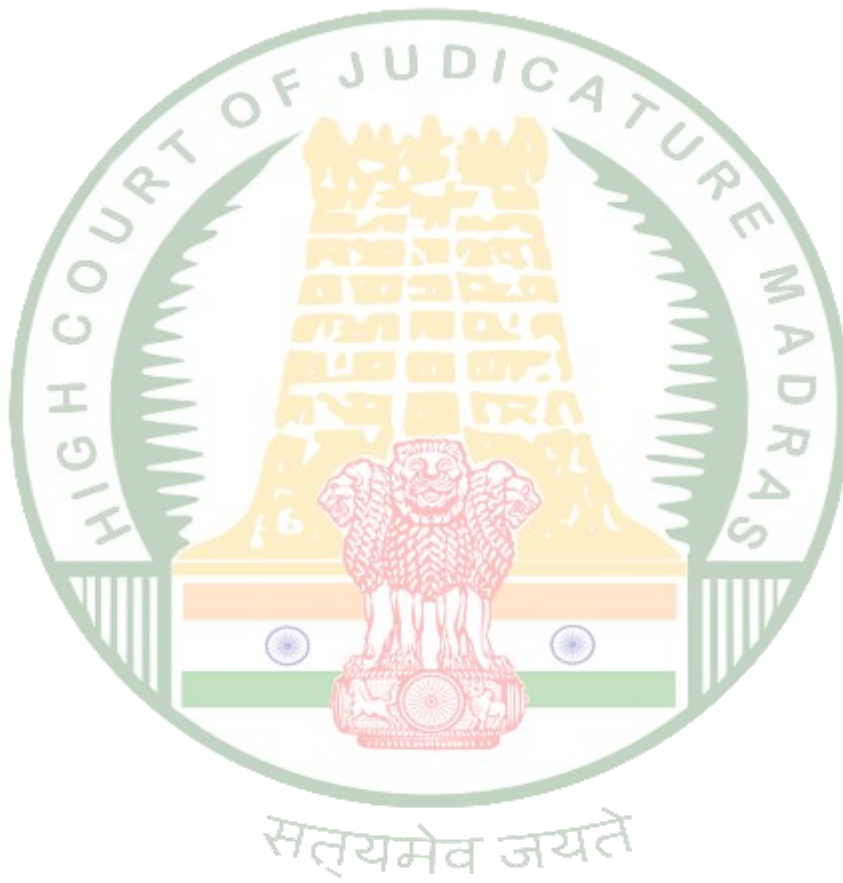
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