



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Eighth day of March Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL MP (MD) No.2040 of 2019

IN

CRL OP (MD) No.2284 of 2019

1 SEENI KADAR

2 M.SARTHAR

3 A.PAKURUDEEN @ AHAMED PAKURUDEEN

4 S.RABEEK @ RAFEEDEEN

5 K.ALTHAF @ MOHAMMED ALTHAF

... PETITIONERS/ PETITIONERS

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

DEVIPATTINAM POLICE STATION,

DEVIPATTINAM,

RAMANATHAPURAM DISTRICT.

(CRIME NO.28/2019)

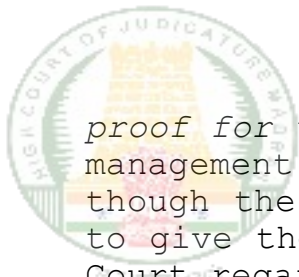
... RESPONDENT/ RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to modify the condition passed in Crl.O.P.NO.2284 of 2019 dated 14/02/2019 and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.N.PRAGALATHAN, Advocate for the petitioners and of Mr.K.SUYAMBULINGA BHARATHI, Government Advocate(Crl.Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the condition imposed on the petitioner in Crl.O.P.(MD).No.2284 of 2019, dated 14.02.2019.

2.The learned counsel for the petitioner submits that the petitioners were granted anticipatory bail as per the order passed in Crl.O.P(MD) No.2284 of 2019 dated 14.02.2019 on conditions. One of the condition is "6.(b)the petitioners shall deposit a sum of Rs.30,000/- to the Management of Ervadi Dargah towards the welfare of the Mentally Retarded people and a further sum of Rs.25,000/- into the credit of crime number before the concerned Judicial Magistrate Court and the Judicial Magistrate is directed to disburse the same to the defacto complainant. The petitioners shall be made the above deposit before the execution of sureties and produce the



proof for the same." Hence, the petitioners approached the management of Ervadi Dargah to deposit the amount. At that time though the management was ready to receive the amount, they refused to give the receipt for the same since a case is pending before the Court regarding the administration of Dargah. Therefore, he request to modify the condition to that effect.

3. In view of the same, the condition 6(b) is modified as follows:

"the petitioners are directed to purchase 10 desks and 10 benches to the tune of Rs.30,000/- and donate the same to the Panjayat Union Primary School, Gandhi Nagar, Devipattinam and the petitioner shall deposit a further sum of Rs.25,000/- into the credit of crime number before the concerned Judicial Magistrate Court and the Judicial Magistrate is directed to disburse the same to the defacto complainant. The petitioners shall be complied with the above conditions before the execution of sureties and produce the proof for the same before the concerned Court."

4.Further, the time granted by this Court vide order, dated 14.02.2019 in CrI.O.P(MD) No.2284 of 2019 to surrender before the concerned Magistrate, is extended further for a period of two weeks from the date of receipt of copy of this order.

5.In other respects, the order dated 14.02.2019 passed by this Court in CrI.O.P.(MD).No.2284 of 2019 remains unaltered.

6.Accordingly, these miscellaneous petitions are disposed of.

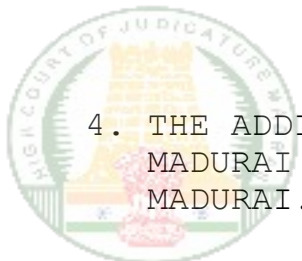
sd/-
08/03/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S-I)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I, RAMANATHAPURAM.
2. DO-THROUGH THE CHIEF JUDICIAL MAGISTRATE,
RAMANATHAPURAM DISTRICT.
3. THE INSPECTOR OF POLICE
DEVIPATTINAM POLICE STATION,
DEVIPATTINAM,
RAMANATHAPURAM DISTRICT.



4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

COPY TO:

THE HEAD MASTER,
PANJAYAT UNION PRIMARY SCHOOL,
GANDHI NAGAR, DEVIPATTINAM.

+1. C.C. to Mr.N.PRAGALATHAN Advocate SR.No.4569

ORDER

IN

CRL MP (MD) No.2040 of 2019

IN

CRL OP (MD) No.2284 of 2019

Date :08/03/2019

MS/VR/SAR-1/14.03.2019/3P.7C