



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

Date : 26/06/2019

PRESENT

WEB COPY

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL MP(MD) . No.5652 of 2019

in

CRL OP(MD) . No.2785 of 2019

M.Mariya Selvam,, ... Petitioner/Petitioner/Accused

Vs

State rep.by
The Inspector of Police,
Thilagar Thidal Police Station,
Madurai City.
Cr.No.68/2019.

... Respondent/Respondent/Complainant

For Petitioner : M/s. S.N. Subramani,
Advocate.

For Respondent : Mrs.M.Anantha Devi,
Govt.Advocate (Crl.Side).

PETITION FOR MODIFICATION Under Sec.439(1)b of Cr.P.C

PRAYER :-

To modify the condition imposed by this Honourable Court in Crl.OP(MD)No.2785 of 2019 dated 25.02.2019 with regard to the payment of compensation to the victim in Cr.No.68 of 2019 on the file of the respondent police.

ORDER : The Court Made the following order :-

The petition has been filed to modify the condition imposed on the petitioner in CRL OP(MD) No.2785 of 2019.

2. The learned counsel for the petitioner submitted that this Court has granted anticipatory bail to the petitioner in Crl.O.P (MD) No.2785 of 2019, dated 25.02.2019, on condition that the petitioner shall deposit a sum of Rs.4,97,000/- to the credit of crime number 68 of 2019 in favour of Govindaraj before the learned Judicial Magistrate No.II, Madurai within a period of four weeks from the date of receipt of a copy of this order and the learned Magistrate shall disburse the deposited amount in favour of the above said victim, without filing any proper application. He further submitted that the petitioner is a lady and she was not married and she is living alone without any support. Hence she is



unable to deposit the said sum, therefore he prays to modify the said condition.

3. The learned Government Advocate (Crl. Side) submitted that the petitioner herein induced the defacto complainant and others for securing job in foreign country and got huge amount. Thereafter she neither secured job nor repaid the amount, due to which one of the victim's father committed suicide. She further submitted that the petitioner herein has also cheated some other victims. Therefore she opposed to modify the condition.

4. Taking into consideration the facts and circumstances of the case and also considering the fact the cheated amount was not repaid and also considering the fact there is no change in facts and circumstances of the case, this Court is not inclined to modify the above condition. However two weeks time is extended to surrender and execute sureties from the date of receipt of a copy of this order and further two weeks time is extended therefrom for depositing the said amount. All other conditions in the said order shall remain unaltered.

sd/-
26/06/2019

/ TRUE COPY /

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

TO

1.THE JUDICIAL MAGISTRATE NO.II, MADURAI.

2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THILAGAR THIDAL POLICE STATION,
MADURAI CITY.

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

+1 CC to Mr.M.KARUNANITHI, Advocate (SR-10525[I] dated 26/06/2019)

ORDER
IN
CRL MP(MD) No.5652 of 2019
IN
CRL OP(MD) No.2785 of 2019
Date :26/06/2019