



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 26/06/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL MP(MD) . No.5658 of 2019

in

CRL OP(MD) . No.2784 of 2019

M.Mariya Selvam

...Petitioner/Petitioner /Accused

Vs

State rep.by

The Inspector of Police,,

District Crime Branch, Theni District.

Crime No.5 of 2019.

... Respondent/Complainant

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

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

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

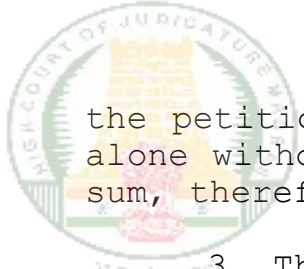
PRAYER :-

To modify the condition imposed by this Honourable Court in Crl.OP(MD)No.2784 of 2019 dated 25.02.2019 with regard to the payment of compensation to the victim in Cr.No.5/2019 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.2784 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.2784 of 2019, dated 25.02.2019, on condition that the petitioner shall deposit a sum of Rs.6,94,400/- in favour of Arivazhalagan and a sum of Rs.5,46,500/- in favour of Balamurugan to the credit of crime number 5 of 2019 before the learned Judicial Magistrate Theni 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 secure job nor repaid the amount. 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-II)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1.The Judicial Magistrate, Theni.
- 2.The Chief Judicial Magistrate, Theni District.
- 3.The Inspector of Police,
District Crime Branch, Theni District.
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.KARUNANITHI, Advocate (SR-10524[I] dated 26/06/2019)

ORDER
in
CRL MP(MD) No.5658 of 2019
in
CRL OP(MD). No.2784 of 2019
Date : 26/06/2019