



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

(Criminal Jurisdiction)

Date : 12/07/2019

WEB COPY

PRESENT

The Hon`ble Mr.Justice P.RAJAMANICKAM

CRL MP(MD) . Nos.6227,6228 and 6229 of 2019
in
CRL OP(MD) . No.3706 of 2019

A.Senthilkumar

... Petitioner/Accused No.8
in Crl.M.P(MD) No.6227 of 2019
in CRL OP(MD)No.3706 of 2019

Vijaya Kumar

... Petitioner/Accused No.2
in Crl.M.P(MD) No.6228 of 2019
in CRL OP(MD)No.3706 of 2019

N.Banumathi

... Petitioner/Accused No.3
in Crl.M.P(MD) No.6229 of 2019
in CRL OP(MD)No.3706 of 2019

Vs

State Represented by
The Inspector of Police,
District Crime Branch,
Theni District
Crime No.4/2019.

... Respondent/Complainant
in All the Petitions

For Petitioners : M/s.M.Jothiramalingam
Advocate in all the petitions

For Respondent : Mrs.Anantha Devi,
Government Advocate (Crl.Side)
in all the petitions

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

COMMON PRAYER :-

To modify the condition imposed upon the Petitioners in Crl.OP
(MD)No.3706 of 2019 dated 04.04.2019 on the file of this Honourable
High Court.



COMMON ORDER : The Court Made the following order :-

This Court, while granting bail to the accused persons 2, 3 and 8 in CrI.O.P.(MD).No.3706 of 2019, after considering the submissions made by the learned counsel for the accused persons that they are ready to deposit a sum of Rs.15,81,550/- (Rupees Fifteen Lakhs Eighty one Thousand Five Hundred and Fifty only), to the credit of Crime No.4 of 2019 before the Judicial Magistrate concerned before the execution of sureties, without prejudice to their defence before the Trial Court. Further it was ordered that after said deposit, the said amount shall be disbursed to the deposit holders as mentioned in the aforesaid order within a period of four weeks therefrom.

2. These miscellaneous petitions have been filed by the second, third and eighth accused in CrI.O.P.(MD).No.3706 of 2019 stating that the other accused persons are not coming forward to deposit their proportionate share and hence the petitioners are not able to avail the bail order. He further submitted that the petitioners have prepared to deposit the proportionate share of his amount. Hence, the aforesaid condition may be modified to the effect that the petitioners herein may be permitted to deposit the proportionate share of his amount before the concerned Magistrate Court.

3. The learned Additional Public Prosecutor has submitted that he has no objection to apportion the amount of Rs.15,81,550/- (Rupees Fifteen Lakhs Eighty one Thousand Five Hundred and Fifty only) equally between the petitioners in CrI.O.P.(MD).No.3706 of 2019 and permit the petitioners to deposit the said amount before the concerned Magistrate Court.

4. Considering the aforesaid submission, the petitioners are permitted to deposit their proportionate share of the amount Rs.3,95,387/- each (Rupees three Lakhs Ninety Five thousand and three hundred and eighty seven only) (1/4th amount) before the concerned Magistrate Court. All other conditions in the said order shall remain unaltered

sd/-
12/07/2019

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

TO

1. THE JUDICIAL MAGISTRATE
THENI.

<https://hcservices.ecourts.gov.in/hcservices/>
2. THE CHIEF JUDICIAL MAGISTRATE,
THENI DISTRICT, .



3. THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.

4. THE SUPERINTENDENT, CENTRAL PRISON,
MADURAI.

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

+3. C.C. to Mr.M.JOTHIRAMALINGAM Advocate SR.Nos.11624 to 11626

ORDER

IN

CRL MP(MD). Nos.6227,6228 and
6229 of 2019 in

CRL OP(MD). No.3706 of 2019

Date :12/07/2019

TK/PN/SAR.4/12.07.2019/3P/9C