



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

Crl.O.P. (MD)No.11894 of 2019

and

Crl.M.P. (MD)No.7854 of 2019

Leema Mahadevi

... Petitioner/Accused

Vs

The State Rep. by
The Inspector of Police,
S.S.Colony Police Station,
Madurai District.
(Crime No.533 of 2019)

... Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed in Cr.M.P.No.3075 of 2019, dated 01-08-2019, passed by the Principal District and Sessions Court, Madurai in so far as the condition directing the petitioner to pay a sum of Rs.2,00,000/- to the de-facto complainant.

For Petitioner : Mr.R.Gandhi

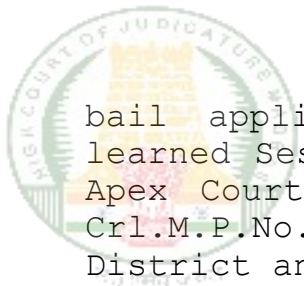
For Respondent : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl. Side)

ORDER

This petition has been filed to modify the condition imposed in Crl.M.P.No.3075 of 2019, dated 01-08-2019, passed by the Principal District and Sessions Court, Madurai in so far as the condition directing the petitioner to pay a sum of Rs.2,00,000/- to the de-facto complainant.

2. Heard Mr.R.Gandhi, learned counsel appearing for the petitioner and Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The learned counsel for the petitioner would submit that the Trial Court granted interim anticipatory bail to the petitioner by an order dated 01-08-2019, on condition that she should pay the amount of Rs.2,00,000/- to the defacto complainant. Further, he submitted that the petitioner is woman hence directing the petitioner to part with a sum of Rs.2,00,000/- to the defacto complainant is unjust. The Hon'ble Supreme Court as well as the Hon'ble High Court has held that while dealing with anticipatory



bail application onerous conditions shall not be imposed. The learned Sessions Judge failed to comply the guidelines given by the Apex Court. Hence, he prayed to modify the condition imposed in Crl.M.P.No.3075 of 2019, dated 01-08-2019, passed by the Principal District and Sessions Court, Madurai.

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent police would submit that the learned Principal District and Sessions Court, Madurai granted interim anticipatory bail to the petitioner till 10.09.2018 by an order dated 01-08-2019, on condition that she should pay the amount of Rs.2,00,000/- to the defacto complainant. But, the petitioner has not complied with the condition imposed by the Court below.

5. Considering the facts and circumstances and considering the submission made by the learned Additional Public Prosecutor, this Court does not find no merits in this petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

Dss

To

1.The Principal District and Sessions Judge,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+2CC TO MR.R.GANDHI, Advocate Sr. No. 90982 & 90745

Crl.O.P. (MD)No.11894 of 2019
and
Crl.M.P. (MD)No.7854 of 2019

SRN(CO)

TR(12.11.2019) 2P 6C