



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.15313 of 2019

Rajkumar

... Petitioner

Vs

State through
The Inspector of Police,
Muthaiahpuram Police Station,
Tuticorin District,
In Crime No.256/2019

... Respondent

PRAYER: Petition filed under Section 439(i)(b) Code of Criminal Procedure, to modify the first condition as to deposit a cash security of Rs.50,000/- instead of to deposit a cash security of Rs.2,50,000/- imposed in Crl.M.P.No.3908 of 2019 on the file of the Principal Sessions Judge, Tuticorin, in Crime No.256 of 2019.

For Petitioners : Mr.C.Susi Kumar

For Respondent : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (Crl.side)

ORDER

The petitioner's vehicle was involved in a case of sand theft. The vehicle was seized. The petitioner moved the Court below for interim custody. The petitioner's application was allowed by the impugned order. However, these conditions were imposed on him.

2. The petitioner is not aggrieved regarding conditions 2 to 6. However, he is aggrieved by the first condition to deposit a cash security of Rs.2,50,000/-.

3. The learned Government Advocate (Crl.side) points out that this Court has been normally imposing only Rs.50,000/- as condition and that, according to him, the condition imposed on him by the Court below is rather honours.

4. In the facts and circumstances of the case, I find the said contention to be reasonable. Therefore, the first condition imposed in the impugned order to deposit a cash security of



Rs.2,50,000/- is modified and instead the petitioner is directed to deposit a cash security of Rs.50,000/- before the Court below.

5.This Criminal Original Petition is allowed on these terms.

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Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Principal Sessions Judge, Tuticorin.

2.The Inspector of Police,
Muthaiahpuram Police Station,
Tuticorin District.

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

+1 CC to M/s.C.SUSI KUMAR, Advocate (SR-94581[F] dated 25/10/2019)

Crl.O.P (MD) No.15313 of 2019
24.10.2019

JMN(25.10.2019) 2P : 5C