



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2019

CORAM:

WEB COPY THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.(MD).No.18401 of 2019

Sundar

..Petitioner/Petitioner/Accused No. 3

Vs.

State rep. by,
The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
(Crime No.276 of 2019)

.. Respondent/Respondent/Complainant

PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to modify the conditions the petitioner should be deposited a sum of Rs.75,000/- before the Judicial Magistrate Court, Keeranur and on executing a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the judicial Magistrate Court, Keeranur and on further condition that he should appear and sign before the Judicial Magistrate, Karaikudi daily at 10.00 a.m till further orders imposed by the learned Principal Sessions Judge, Pudukkottai in Crl.M.P.No.3194 of 2019 dated 20.11.2019.

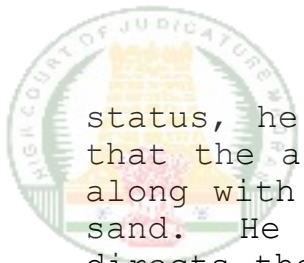
For Petitioner : Mr.K.Arunraj
For Respondent : Mrs.S.Bharathi,
Government Advocate (Crl. Side)

O R D E R

The petition has been filed seeking to modify the condition as imposed by the Principal Sessions Judge, Pudukkottai in Crl.M.P.No.3194 of 2019 dated 20.11.2019.

2.The Trial Court while granting anticipatory bail to the petitioner, directed the petitioner to deposit a sum of Rs.75,000/- before the Judicial Magistrate Court, Keeranur and further directed the petitioner to report appearance before the Judicial Magistrate, Keeranur daily 10.00 a.m until further orders.

3.The learned counsel for the petitioner would submit that the petitioner is a lorry driver and due to his poor financial



status, he is unable to raise such a huge funds. He would submit that the allegation against the petitioner in this case is that he along with other accused illegally transported three units of river sand. He would submit that in similar matters, this Hon'ble Court directs the accused to deposit a sum of Rs.15,000/- per Unit and if there are two accused, this Court normally directs each of the petitioner to pay the amount of Rs.7,500/-. He would further submit that the co-accused in this case had filed a petition in Crl.M.P.No.3194 of 2019 before the learned Principal Sessions Judge, Pudukkottai seeking for anticipatory bail. The learned Judge had directed the co-accused to deposit a sum Rs.75,000/- to the credit of Crime No.276/2019 and the co-accused has deposited the amount on 21.11.2019. He would further submit that since the co-accused has deposited the entire amount of Rs.75,000/- to the credit of the said crime number, the condition in respect of the petitioner may be modified and further conditions directing the petitioner to report before the Judicial Magistrate, Keeranur may also be modified.

4.It is seen from the records that the 1st accused/Rajkumar has been granted anticipatory bail by the learned Principal Sessions Judge, Pudukkottai on 20.11.2019 and he has also deposited the amount of Rs.75,000/- before Judicial Magistrate, Keeranur to credit of Crime No.276/2019 on 21.11.2019.

5.In view of the same, the condition imposed in Crl.M.P.No.3194 of 2019 by the Principal Sessions Judge, Pudukkottai in respect of payment of amount is modified that the petitioner shall make a non-refundable deposit of Rs.25,000/- to the concerned District Mineral Foundation Trust within a period of two weeks from the date of receipt of a copy of this order and thereafter, the petitioner shall surrender before the Judicial Magistrate, Keeranur within one week and produce the receipt and execute a bond for a sum of Rs.10,000/- with two sureties for a like sum each to the satisfaction of the Judicial Magistrate, Keeranur and further, the petitioner shall appear and sign before the respondent police every day at 10.30 a.m until further orders.

With the above observations, this criminal original petition stands allowed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar(CS)

vsg/skn



To:

1.The Principal Sessions Judge,
Pudukkottai.

2.The Judicial Magistrate,
Keeranur.

3.The Judicial Magistrate,
Karaikudi.

4.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.

5.The District Mineral Foundation Trust,
Pudukkottai

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

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-104707[F] dated 12/12/2019)

Crl.O.P. (MD) .No.18401 of 2019
12.12.2019

KK/SAR/20.12.2019/3P-8C/