



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.No. 742 of 2020

C.Venkatesh

... Petitioner

Vs.

The State

Rep. By the Inspector of Police,
District Crime Branch, Erode.
(Cr.No.25 of 2019)

... Respondent

PRAYER: Criminal Original petition has been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the condition imposed in the order dated 08.01.2020, passed by the Principal District and Sessions Judge, Erode, in Crl.M.P.No.13 of 2020, arriving out of Crime No.25 of 2019 on the file of the respondent police granting bail by imposing stringent condition of payment of Rs.16,00,000/-.

For Petitioner : Mr.M.Abdul Nazeer

For Respondent : Mrs. S.Thankira

Government Advocate (Crl. Side)

O R D E R

This Criminal Original petition has been filed seeking modification of the bail condition imposed on 08.01.2020 in Crl.M.P.No.13 of 2020 by the learned Principal District and Sessions Judge, Erode.

2. The case of the prosecution is that the petitioner is alleged to have received a sum of Rs.36,00,000/- from the defacto complainant and he paid only Rs.20,00,000/- and refused to pay the balance amount. Hence, the complaint.

3. The petitioner was granted bail on 08.01.2020 by the learned the Principal District and Sessions Judge, Erode, in Crl.M.P.No.13 of 2020 and one of the bail condition stipulated was that "the petitioner shall deposit a sum of Rs.16,00,000/- in to the Judicial Magistrate II, Erode.

4. The learned counsel for the petitioner submitted that



since the petitioner was under incarceration, he was not able to mobilize such a huge sum to make the Court deposit, and is still under incarceration for more than 55 days despite the enlargement of the petitioner on bail by the learned Principal District and Sessions Judge, Erode. Hence, he seeks to modify the condition imposed by the Court below.

5. In view of the submission made by the learned counsel for the petitioner, this Court modifies the condition imposed by the learned Principal District and Sessions Judge, Erode, in CrI.M.P.No.13 of 2020, dated 08.01.2020 to the effect that the petitioner shall deposit a sum of Rs.9,00,000/- (Rupees Nine Lakh Only) in the Court deposit before concerned Court.

6. With the above modification, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rri/ssn

To

1. The learned Principal District and Sessions Judge,
Erode.

2.The Judicial Magistrate II, Erode.

3. The Inspector of Police,
District Crime Branch, Erode.
(Cr.No.25 of 2019)

4.The Public Prosecutor,
Madras High Court.

+1cc to Mr.M.Abdul Nazeer, Advocate, S.R.No. 2803

CrI.O.P.No.742 of 2020

AK(CO)
GN(23/01/2020)