

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.No.1257 of 2020

Syed Kabir

... Petitioner/Accused

Vs.

State rep. By
The Inspector of Police
K-11, CMBT Police Station
Chennai.

... Respondent/Complainant

PRAYER: Criminal Original petition has been filed under Sections 439(1)(B) of the Code of Criminal Procedure, to set aside the order made in Crl.M.P.No.147 of 2020 dated 08.01.2020 and modify the bail conditions No.1 and 2 in Crl.M.P.No.15204 of 2019 in Crime No.941 of 2019 dated 30.12.2019 passed by the learned V Metropolitan Magistrate, Egmore, Chennai.

For Petitioner : Mr.K.N.Nataraj

For Respondents : Mrs. S.Thankira

Government Advocate(Crl. Side)

O R D E R

This Criminal Original petition has been filed seeking to set aside the order made in Crl.M.P.No.147 of 2020 dated 08.01.2020 and modify the bail conditions No.1 and 2 in Crl.M.P.No.15204 of 2019 in Crime No.941 of 2019 dated 30.12.2019 passed by the learned V Metropolitan Magistrate, Egmore, Chennai.

2.The petitioner was granted bail by the learned Sessions Judge, in Crl.M.P.No.15204 of 2019 dated 08.01.2020, and one of the bail conditions stipulated therein was that "the petitioner shall deposit a sum of Rs.2,00,000/- into the court (which is 50% of the total sum involved in the alleged crime) and also to produce sureties for a like sum".

3.The learned counsel for the petitioner submitted that the petitioner could only organise Rs.1,00,000/- till now and required this Court to grant some time for the deposit of balance amount and also the value of surety reasonably reduced, as the total sum involved in the crime is only Rs.4,00,000/-.

4.This Court, after careful consideration, modifies the conditions imposed by the learned V Metropolitan Magistrate, Egmore, Chennai, to the effect that the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of crime No.941 of 2019 on or before the date of which the petitioner produces sureties and executes the bail bond. The remaining amount of Rs.1,00,000/- shall be deposited within a period of 6 weeks. The petitioner would now require to appear before the concerned Magistrate Court daily at 10.30 a.m. for a period of seven weeks. The petitioner is also now required to execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Insp.Cell)

/True Copy/

Sub Assistant Registrar

To

- 1.The Principal Sessions Judge, City Civil Court, Chennai.
- 2.The Metropolitan Magistrate, Egmore, Chennai
- 3.The Inspector of Police, K-11, CMBT Police Station, Chennai.
- 4.The Superintendent, Central Prison, Puzhal, Chennai.
- 5.The Public Prosecutor, Madras High Court.

+1 cc to M/s.K.N.Nataraj, Advocate Sr.No. 8927

AKM/06.02.2020/2P-7C /

Cr1.O.P.No.1257 of 2020

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