

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Crl.O.P.No.2656 of 2020

Mahalakshmi

... Petitioner

Vs.

State Rep. by
The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai.
(Crime No.11 of 2020)

... Respondent

PRAYER: Criminal Original petition has been filed under Sections 439(1)(b) of the Code of Criminal Procedure, to modify the bail condition that the petitioner shall deposit of Rs.25,000/- before the learned Judicial Magistrate No.II, Tambaram concerned in Cr.No.11 of 2020 of Pallavaram Police Station, order passed by the Principal District Session Court in Crl.M.P.No.611 of 2020 dated 31.01.2020.

For Petitioners : Mr.G.Dakshinamurthy
For Respondent : Mrs. S.Thankira
Government Advocate (Crl. Side)

O R D E R

This Criminal Original petition has been filed seeking for a modification of the bail condition imposed on 31.01.2020 in Crl.M.P.No.611 of 2020 by the learned Principal Sessions Judge, Kancheepuram District, Chengalpattu.

2. The learned counsel for the petitioner submitted that the petitioner was granted bail vide order of the learned Principal Sessions Judge, Kancheepuram District, Chengalpattu, in Crl.M.P.No.611 of 2020 dated 31.01.2020. The learned counsel for the petitioner submitted that one of the conditions imposed on the petitioner is that she should deposit Rs.25,000/- in the Court. The petitioner is not in a position to comply with the same since she continues to languish in judicial custody. While, Rs.25,000/- may appear as a small amount, so far as the present petitioner is concerned, it is an amount that she could not

mobilize. It is not true despite she obtaining an order of bail on 31.01.2020 she is continues to be in judicial custody.

3. The learned Government Advocate (Crl.Side) submitted that the Court below had imposed the condition after taking into consideration the facts and circumstances of the case and there is no ground to interfere with the same.

4. The condition imposed by the Court below directing the petitioner to deposit a sum of Rs.25,000/- is hereby set aside. The other condition imposed by the Court below shall stand as it is.

5. This Criminal Original Petition is disposed of, with the above modification.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The learned Principal Sessions Judge,
Kancheepuram,
2. The Inspector of Police,
Pallavaram Police Station,
Pallavaram, Chennai.
(Crime No.11 of 2020)
3. The Public Prosecutor,
Madras High Court.

+1 CC to Mr.G.Dakshinamurthy, Advocate sr 2560.

Cr1.O.P.No.2656 of 2020

RGN(CO)
SP(11/02/2020)

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