

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N.SESHASAYEE
Crl.O.P.No.3624 of 2020

V.Z.Yasutheen

... Petitioner/4th Accused

Vs.

State Rep. by

The Inspector of Police,
C-1, Kattoor Police Station,
Coimbatore,
Crime No.110/2020.

... Respondent/Complainant

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 14.02.2020 in Crl.M.P.No.599 of 2020 on the file of the Principal District and Sessions Judge, Coimbatore, as far as directing the petitioner to deposit a sum of Rs.10,00,000/- to the credit of Crime No.110 of 2020 on the file of the C-1, Kattoor Police Station before the Judicial Magistrate No.2, Coimbatore.

For Petitioner : Mr.R.Nalliyappan
For Respondent : Mrs. S.Thankira
Government Advocate (Crl. Side)

O R D E R

This Criminal Original petition has been filed, seeking to modify the condition imposed in the order dated 14.02.2020 in Crl.M.P.No.599 of 2020 on the file of the Principal District and Sessions Judge, Coimbatore, as far as directing the petitioner to deposit a sum of Rs.10,00,000/- to the credit of Crime No.110 of 2020 on the file of C-1, Kattoor Police Station before the Judicial Magistrate No.2, Coimbatore.

2. The learned Government Advocate (Crl.Side) for the respondent police submitted that petitioner is now ranked as A2. In the FIR, he was not named as an accused. She also added that in terms of the FIR, it is not alleged that the petitioner had placed orders for the defacto complainant and he has not issued any cheque towards his repayment.

3. Heard Mr.R.Sivakumar, the learned counsel for the

intervenor. He would submit that the petitioner is a master mind and he along with others has been duping the defacto complainant and others with a bogus company.

4. The learned counsel for the petitioner submitted that the trial Court has granted bail to the petitioner by imposing the condition to deposit Rs.10,00,000/- to the credit of the said crime number. He would further submit that because of the onerous condition, the petitioner is not in a position to deposit the said amount. As a consequence of which, the petitioner is not able to come out.

5. Taking into consideration the nature of the allegation against the petitioner, this Court modifies the order by dropping the condition imposed in the order dated 14.02.2020 in CrI.M.P.No.599 of 2020 on the file of the Principal District and Sessions Judge, Coimbatore, as far as directing the petitioner to deposit a sum of Rs.10,00,000/- to the credit of Crime No.110 of 2020 on the file of C-1, Kattoor Police Station before the Judicial Magistrate No.2, Coimbatore. The other conditions imposed by the Court below shall stand as it is.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

ssn/msrm
To

1. The Principal District and Sessions Judge,
Coimbatore.
2. The Judicial Magistrate No.2,
Coimbatore.
- 3.The Chief Judicial Magistrate, Coimbatore
- 4.The Inspector of Police,
C-1, Kattoor Police Station,
Coimbatore,
- 5.The Public Prosecutor, Madras High Court.

+1cc to Mr.R.Nalliyappan , Advocate SR.No. 16126

CrI.O.P.No.3624 of 2020

A.SK(25/02/2020)