

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2020

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No. 5983 of 2020

Boobalan

... Petitioner /Accused A3

Vs.

State Rep. By
The Sub Inspector of Police,
District Crime Branch Police Station,
Thiruvallur District.

... Respondent/Respondent

PRAYER: Criminal Original petition has been filed under Sections 439 (1) (b) of the Code of Criminal Procedure, to modify the bail condition imposed by the Judicial Magistrate-I, Ponneri, by its order dated 12.02.2020 made in Crl.M.P.No.545 of 2020, that the petitioner has to deposit a sum of Rs.3,00,000/- as cash deposit.

For Petitioner : Mr.R.Sasikumar

For Respondent : Mr. K. Prabakar

Additional Public Prosecutor

O R D E R

This Criminal Original petition has been filed seeking modification of the bail condition imposed on 12.02.2020 in C.M.P.No.545 of 2020 by the learned Judicial Magistrate-I, Ponneri.

2. The learned counsel for the petitioner would submit that the petitioner was arrested on 14.12.2019 in Crime No.39 of 2019 for the offences under sections 406, 408, 420, 468, 471 r/w. 34 IPC. He would submit that the petitioner was granted bail dated 12.02.2020 by the learned Judicial Magistrate-I, Ponneri, in C.M.P.No.545 of 2020 on certain conditions. One of the bail condition imposed was that "the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Crime No. 39 of 2019".

3. The learned counsel for the petitioner further submitted that the petitioner was unable to mobilize funds, and hence, he

is unable to comply with the condition and unable to come out from prison, though, he has been granted bail on 12.02.2020. Hence he seeks to modify the condition imposed by the Court below.

4. In view of the submission made by the learned counsel for the petitioner, this Court modifies the said condition imposed by the learned Judicial Magistrate-I, Ponneri, in C.M.P.No.545 of 2020 dated 12.02.2020 to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties and the first condition viz., "the petitioner shall deposit a sum of Rs.3,00,000/- to the credit of Crime No. 39 of 2019 " is deleted. The other condition remains unaltered.

5. Accordingly, this Criminal Original Petition is Modified.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate-I, Ponneri,
2. The Sub Inspector of Police,
District Crime Branch Police Station,
Thiruvallur District.
3. The Public Prosecutor,
Madras High Court.

+1 cc to M/s.R.Sasikumar, Advocate Sr.No. 22565

AKM/13.03.2020/2P-5 C /

CrI.O.P.No. 5983 of 2020