

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2020

CORAM

THE HONOURABLE MR. JUSTICE M. NIRMAL KUMARCrl.M.P.No.4050 of 2020in Crl.O.P.No.7364 of 2020

AJITHKUMAR (Male/Aged 25 Yrs.)

S/o Sekar

Colony street,

Madapuram village,

Thiruthuraipoondi Taluk

Thiruvavarur District

... Petitioner

vs.

The State Rep. By

Inspector of Police

Thiruthuraipoondi Police station,

Thiruvavarur District

Crime NO: 198/2020

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 r/w 439 Cr.P.C.to modify the condition imposed by this Court in Crl.O.P.No.7364 of 2020 on 11.05.2020 “to deposit Rs.45,000/- (Rupees forty five thousand only) to the credit of crime No. 198 of 2020 on the file of the respondent police”.

For Petitioner : M/s.Swami Subramanian

For Respondent : Mr.S.Karthikeyan,

Additional Public Prosecutor

ORDER

The petitioner has filed this petition to modify the condition imposed by this Court in Crl.O.P.No.7364 of 2020 on 11.05.2020 “to deposit Rs.45,000/- (Rupees forty five thousand only) to the credit of crime No. 198 of 2020, on the file of the respondent police”

Crl.O.P.No.7364 of 2020 and one of the condition is that the petitioner shall deposit a sum of Rs.45,000/- to the credit of Cr.No.198 of 2020 on the file of the respondent police while executing his own bond for a sum of Rs.10,000/- (Rupees Ten thousand only) before the Superintendent of the concerned prison and thereafter, the petitioner shall execute two sureties for a sum of Rs.10,000/-(Rupees ten thousand only) each, before the concerned Magistrate on or before 08.06.2020.

3. The contention of the petitioner is that the petitioner hails from a very poor family and he is the sole bread winner of his family and he was working as daily wager. Due to his incarceration, the petitioner family was facing difficult situation. The petitioner unable to deposit the sum of Rs.45,000/-, hence, the petitioner is still in confinement, despite the petitioner obtaining bail by order dated 11.05.2020. The petitioner is unable to comply with the conditions imposed by this Court. Hence he seeks to modify the condition.

4. Considering the fact that the petitioner was granted bail on 11.05.2020, almost one month prior, this Court is inclined to modify the condition to the effect that the petitioner shall deposit a sum of Rs.10,000/- to the credit of Cr.No.198 of 2020 while the petitioner executing sureties before the concerned Court within 15 days of lifting of lockdown and commencement of regular Court proceedings. The other conditions imposed by this Court shall remain unaltered.

5. With the above observations, this Criminal Miscellaneous Petition is

ordered.

12.06.2020

Internet : Yes/No

kkd

To

1.The Principal Sessions Judge

Thiruvavarur.

2. The Judicial Magistrate,

Thiruthuraipoondi,

Tiruvavarur District.

3.The Superintendent.

District Prison, Nagapattinam.

M. NIRMAL KUMAR,J

kkd

4. Inspector of Police

Thiruthuraipoondi Police station,

Tiruvavarur District

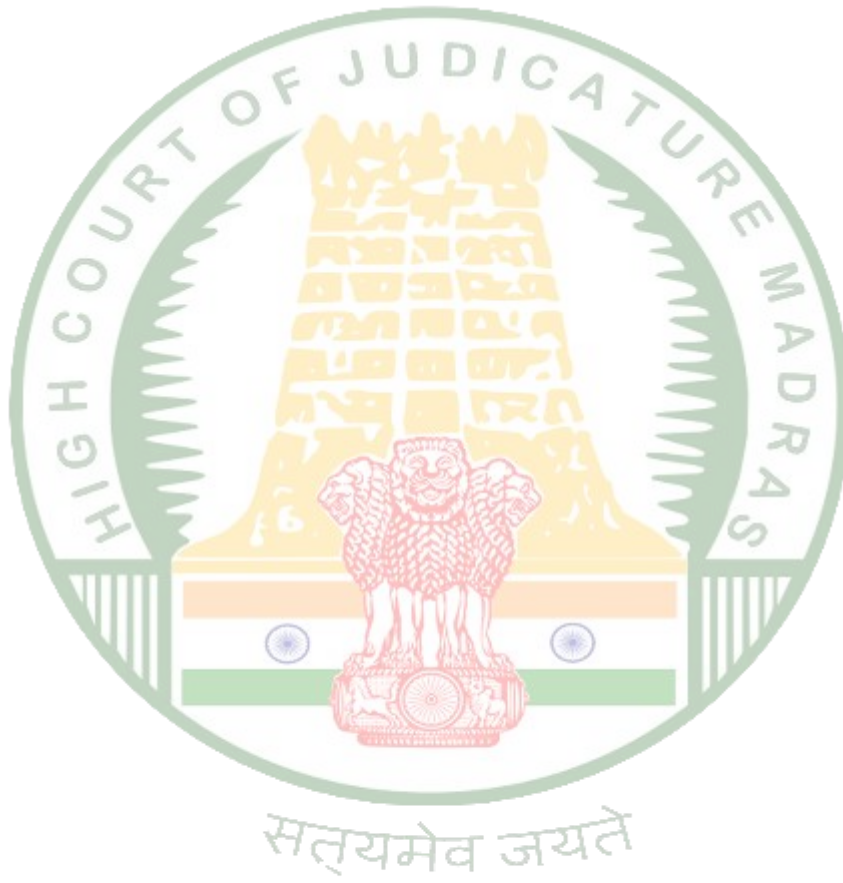
5. The Public Prosecutor,

High Court, Madras.

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Crl.M.P.No.4050 of 2020
in Crl.O.P.No.7364 of 2020

12.06.2020



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