

IN THE HIGHCOURT OF JUDICATURE AT MADRAS

DATED 10.06.2020

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THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Criminal Miscellaneous Petition No.4082 of 2020 in
Criminal Original Petition No.7477 of 2020

Ragunath

..... Petitioner

VS.

The State rep. By its
Inspector of Police,
CCB Police, Team XII,
Chennai – 7

Crime No.76 of 2020

... Respondent

Prayer:- This Criminal Original Petition has been filed under Section 482 Cr.P.C., to modify the order dated 13.05.2020 in Crl.O.P.No.7477 of 2020 in respect of the condition that the petitioner shall deposit original title deeds of the properties stands in his name or his relatives' name or his friends' name not less than the value of Rs.25,00,000/- (Rupees twenty five lakhs only) along with the valuation report obtained from the Valuation Authority concerned to the credit of the Crime No.76 of 2020 on the file of the respondent and pass further orders as deem fit in the proper circumstances of the case.

For Petitioner : Mr.A.Ilayaperumal
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

ORDER

The petitioner herein is A.9 in Crime No.76 of 2020. The petitioner herein was arrested by the respondent Police on 19.03.2020 for the alleged offence under Sections 120B, 420, 465, 467, 468, 471 I.P.C.

2.The petitioner has filed a petition seeking bail in Crl.O.P.No.7477 of 2020 before this Court. On 13.05.2020, this Court granted bail to the petitioner however, with certain conditions. Seeking to modify the condition that the petitioner shall deposit original title deeds of the properties stands in his name or his relatives' name or his friends' name not less than the value of Rs.25,00,000/- (Rupees twenty five lakhs only) along with the valuation report obtained from the Valuation Authority concerned to the credit of the Crime No.76 of 2020 on the file of the respondent, the petitioner is before this Court with this miscellaneous petition.

3.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

4.The learned counsel for the petitioner would submit that the petitioner has obtained the vehicle loan of Rs.15,00,000/- from the defacto complainant's bank by creating documents. The learned counsel for the petitioner would further submit that the petitioner herein had already paid a sum of Rs.5,01,030/- out of Rs.15,00,000/- to the Pubjab & Sind Bank, Navalur Branch / defacto complainant's Bank during the period from 28.07.2016 to 30.04.2020. However, the said fact has not been placed before this Court while granting bail to the petitioner on 13.05.2020.

5.The learned counsel for the petitioner has obtained the Demand Draft No.991975 for a sum of Rs.2,50,000/- dated 21.05.2020 drawn on State Bank of India, Kodambakkam Branch, Chennai, to show the bona fide of the petitioner. The learned counsel would further pray that four months time may be granted to the petitioner herein to pay the balance amount of Rs.7,51,030/-.

6.The learned Additional Public Prosecutor appearing for the State is not against the proposal for settlement of the dues of the petitioner and the facts disputed

the above facts made by the learned counsel for the petitioner.

7.In view of the above submissions made by the learned counsel for the petitioner, this Court is inclined to modify the conditions imposed by this Court. Accordingly, the conditions imposed by this Court in paragraph No.6 (a), (b) and (d) in Crl.O.P.No.7477 of 2020 dated 13.05.2020 are modified as follows:-

“6(a)Instead of the petitioner shall deposit original title deeds of the properties stands in his name or his relatives' name or his friends' name not less than the value of Rs.25,00,000/- (Rupees twenty five lakhs only) along with the valuation report obtained from the Valuation Authority concerned to the credit of the Crime No.76 of 2020; the petitioner is directed to i)deposit immediately sum of Rs.2,50,000/- (as submitted before this Court DD No.991975 for a sum of Rs.2,50,000/- dated 21.05.2020 drawn on State Bank of India, Kodambakkam Branch, Chennai) to the defacto complainant's Bank and the balance amount within four months forthwith; ii) the petitioner is directed to pay the remaining amount of Rs.7,51,030/- in four equal monthly instalments commencing from 1st July 2020 and iii)the petitioner is ordered to be released on bail on executing his own bond for a sum of Rs.10,000/- (Rupees ten thousand only) before the Superintendent of the concerned prison.

(b)the petitioner shall execute two sureties for a sum of Rs.10,000/- (Rupees ten thousand only) each before the concerned Magistrate, within a period of 15 days from the date of lifting of lock down in Chennai, or 15 days of the normal functioning

of the trial Court, whichever is earlier.

(c).....

(d)The petitioner shall report before the respondent police daily at 10.30 am from the date of his release for a period of three weeks and thereafter as and when required for interrogation.

The all other conditions imposed by this Court in Crl.O.P.No.7477 of 2020 dated 13.05.2020 shall stand remain unaltered.

With the above modifications, the Criminal Miscellaneous Petition is allowed.

सत्यमेव जयते

10.06.2020

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To

- 1.The Inspector of Police,
J5 Sasthri Nagar Police Station,
Chennai.
- 2.The Public Prosecutor,
High Court, Madras.

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Crl.M.P.No.4082 of 2020

M.NIRMAL KUMAR.J.

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3.The Superintendent,
Central Prison, Puzhal.



Crl.M.P.No.4082 of 2020 in
Crl.O.P.No.7477 of 2020

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