

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED: 29.07.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

CRL.M.P.No.4557 of 2020
in
CRL.O.P.No.7477 of 2020

Raghunath

... petitioner

Vs.

State represented by
Inspector of Police,
Central Crime Branch, Team XII,
Chennai-600 007.
Crime No.76 of 2020

... Respondent

Prayer : Criminal Original Petition filed under Section 439(1)(b) of [Cr.P.C.](#), to modify the order dated 10.06.2020 in Crl.M.P.No.4082 of 2020 in Crl.O.P.No.7477 of 2020 on the file of this Court in respect of the condition in paragraph No.7, inner No.6(a)(ii) that the petitioner is directed to pay the remaining amount of Rs.7,51,030/- in four equal monthly instalments commencing from 1st July 2020.

For Appellant : [Mr.S.Mohamed Ansar](#)For Respondent : [Mr.K.Prabakar](#)
Additional Public Prosecutor**ORDER**

This petition has been filed to modify the order dated 10.06.2020 in Crl.M.P.No.4082 of 2020 in Crl.O.P.No.7477 of 2020 on the file of this Court in respect of the condition in paragraph No.7, inner

No.6(a)(ii), wherein, the petitioner is directed to pay the remaining amount of Rs.7,51,030/- in four equal monthly installments commencing from 1st July 2020.

2. The learned counsel for the petitioner submitted that earlier bail was granted by this Court on 13.05.2020, in CrI.O.P.No.7477 of 2020 with some conditions. Thereafter, he moved a modification petition in CrI.M.P.No.4082 of 2020 expressing his inability to comply with the conditions imposed earlier. Hence, he sought for modification. Thereafter, this Court by order dated 10.06.2020, had modified the conditions 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 lockdown in Chennai, or 15 days of the normal functioning of the trial Court, whichever is earlier.

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

3. Now the petitioner has filed this petition to modify the condition imposed earlier, since, the petitioner's father died and the rituals of his father were done only by his wife. The petitioner family had incurred expenditure for his father's medical treatment a sum of Rs.3,12,100/-. Further, he submitted that due to the present restrictions, the petitioner is unable to appear before the respondent police. In view of the above, the petitioner is unable to comply with the conditions of making payment of Rs.7,51,030/- within the stipulated time. Hence, he seeks modification.

4. The learned Additional Public Prosecutor submitted that the petitioner has not complied with the order of this Court and neither

appeared before the respondent police nor made any payment.

5. Considering the submissions, this Court accepts the explanation given by the petitioner. Hence, the petitioner is directed to pay the remaining amount of Rs.7,51,030/- in four equal monthly installments, commencing from 1st September 2020 instead of July 2020 and appear before the respondent police, after lifting of lockdown and restrictions removed.

6. Accordingly, the Criminal Miscellaneous Petition is modified.

29.07.2020

ssb

Index:Yes/No

Internet:Yes/No

Speaking Order/Non-speaking Order

To

Inspector of Police,
Central Crime Branch, Team XII,
Chennai-600 007.

WEB COPY

M.NIRMAL KUMAR, J.

ssb



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