

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2020

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.Nos.4964 and 4966 of 2020

in

Crl.O.P.No.34519 & 34520 of 2019

G. Krishnamoorthy ... Petitioner in both petitions

Vs.

The State, ... Respondent in both petitions
Represented by Inspector of Police,
Central Crime Branch,
EDF-II, Team-IX A,
Vepery, Chennai - 600 007.
Crime Nos.300 & 331 of 2019

PRAYER in Crl.M.P.No.4964 of 2020: Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., directing the petitioner to deposit a sum of Rs.25,00,000/- to the credit of Crime No.331 of 2019 on the file of Central Crime Branch, EDF-II, Team-IX A, condition imposed in Crl.O.P.No.34519/2019 dated 30.12.2019.

PRAYER in Crl.M.P.No.4966 of 2020: Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., directing the petitioner to deposit a sum of Rs.25,00,000/- to the credit of Crime No.300 of 2019 on the file of Central Crime Branch, EDF-II, Team-IX A, condition imposed in Crl.O.P.No.34520/2019 dated 30.12.2019.

For Petitioner : Mr. V. Raghavachari

For Respondent : Mr. K. Prabakar
Additional Public Prosecutor

COMMON ORDER

The learned counsel for the petitioner submitted that the petitioner was arrayed as an accused in Crime No.300 of 2019 registered by the Inspector of Police, Central Crime Branch, EDF-II, Team-IX A, Vepery, Chennai - 7 and in Crime No.331 of 2019 registered by the Inspector of Police, Central Crime Branch, EDF-II, Team-IX A, Vepery, Chennai - 7. and was arrested on 26.11.2019. In both the cases he was granted bail in Crl.O.P.Nos.34519 & 34520 of 2019 dated 30.12.2019 and with a condition to deposit a sum of

Rs.25 lakhs each to the Credit of Crime Nos.300 & 331 of 2019 before the learned Metropolitan Magistrate exclusive trial for CCB, Chennai.

2. The learned counsel for the petitioner would submit that in compliance of condition that the petitioner deposited an amount of Rs.25,00,000/- each, to the Credit of Crime Nos.300 and 331 of 2019 vide receipt Nos.9621 and 9622 totalling to Rs.50,00,000/- (Rupees Fifty Lakhs) and the petitioner was released on the same day. He would further submit that subsequent to the arrest of the petitioner, the real culprit was arrested and he has also been let out on bail. The petitioner had deposited the amounts to show his bonafide. He would further submit that the petitioner is advised to submit that he has got a good case on merit and that there every chance that the petitioner will be acquitted from the case. He would further submit that huge amount of Rs.50,00,000/- (Rupees Fifty Lakhs) belonging to the petitioner has been deposited in the Court as security and it is lying idle without fetching any interest and thereby the petitioner is put to severe financial loss. He would further submit that if the amount lying in cash deposit before the Court is directed to be re-deposited before any Nationalized Bank under Fixed Deposit scheme, it will fetch some amount as interest and it will protect interest of the petitioner and the petitioner has no objection in the Fixed Deposit receipts issued by the bank retained as Security by the Court.

3. The learned Additional Public Prosecutor would submit that the petitioner had complied with the condition by depositing the amount and after deposit the petitioner has been released on bail. He would further submit that investigation is pending.

4. Heard both sides

5. The petitioner has deposited an amount of Rs.25,00,000/- each to the credit of Crime Nos.300 and 331 of 2019 totalling to Rs.50,00,000/- (Rupees Fifty Lakhs only). The amounts are lying idle in cash deposit without incurring any interest.

6. This Court is of the opinion that if the amounts are directed to be re-deposited in any Nationalized bank in fixed deposit scheme and if the fixed deposit receipts are retained by the Court it will protect the interest of the petitioner and it will also not affect the interest of the respondent prosecution.

7. In view of the above a direction is issued to the learned Metropolitan Magistrate, for Exclusive Trial of CCB & CBCID Cases, Egmore, to re-deposit the amounts of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) each, totalling to (Rs.50,00,000/- (Rupees Fifty Lakhs only) deposited vide Receipt Nos.9621 and 9622 in fixed deposit scheme in any Nationalized Bank and the fixed deposit receipts shall be retained by the Court in safe custody as security to the credit of Crime Nos.300 & 331 of 2019 registered by Central Crime Branch, EDF-II, Team -IX A, Vepery Chennai-600 007. The exercise shall be completed within two weeks from the date of

receipt of copy of this order. Further pending disposal of the case the deposits can be renewed on proper application being made by the petitioner at the relevant stage.

-sd/-

19/08/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE,
FOR EXCLUSIVE TRIAL OF CCB & CBCID CASES, EGMORE,

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
CENTRAL CRIME BRANCH, EDF-II, TEAM-IX A,
VEPERY, CHENNAI-600 007.

+2 C.C. to M/S.V.RAGHAVACHARI Advocate on payment of necessary charges SR.NO.5994, 5995

Order

in

CRL MP.4964 & 4966/2020

in

CRL OP.34519 & 34520/2019

Date :19/08/2020

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