

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.12222 of 2020

R.Manivannan,
S/o. Ramalingam,
No.137, Block-4,
Perumal Kovil Vattam,
Jagir Kamanayakanpatty,
Jagir Ammapalayam,
Salem - 636 302.

... Petitioner

Vs

State represented by
The Inspector of Police,
CCB, Salem City.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to set aside the order passed by the learned Principal Session Judge, Salem in C.M.P. No.1449 of 2020 dated 19.05.2020 and modify the conditions imposed by the learned Judicial Magistrate No.5, (FAC) Salem in C.M.P. No.57 of 2019 in Crime No.19 of 2019 by order dated 13.01.2020.

For Petitioner : Mr. L.Baskaran

for Mr. A.Saravanan

For Respondent : Mr. S.Karthikeyan

Additional Public Prosecutor.

O R D E R

This petition has been filed seeking to set aside the order passed by the learned Principal Session Judge, Salem in C.M.P. No.1449 of 2020 dated 19.05.2020 and modify the conditions imposed by the learned Judicial Magistrate No.5, (FAC) Salem in C.M.P. No.57 of 2019 in Crime No.19 of 2019 by order dated 13.01.2020.

2. Learned counsel for the petitioner would submit that while the petitioner was granted Anticipatory Bail under Section 167 (1) Cr.P.C., the lower Court imposed certain conditions that the petitioner shall not move out of Salem City, the petitioner has to appear before the respondent Police every day morning, the petitioner shall surrender his passport and original property document stands in his name to the custody of the Court and the petitioner shall execute bond for a sum of

Rs.10,000/- with two sureties. He further submitted that the Original Property Documents stands in the name of the petitioner and the same was seized by the respondent in pursuant to Crime No.19 of 2019. In so far as, dwelling house of the petitioner is concerned, the petitioner had already deposited the title deed and mortgaged the same and availed loan from REPCO Home Finance and therefore, he could not able to deposit the original title deed as directed by the Court below. Learned counsel for the petitioner would submit that the petitioner is willing to deposit the title deed stands in the name of the relatives and friends to the tune of not less than the value of one crore.

3. Learned Additional Public Prosecutor would submit that the petitioner has not only involved in this case and has committed in four other cases with similar nature of crime and had cheated crores of rupees and as such the condition imposed by the trial Court do not require any modification.

4. Considering the above submissions, this Court is inclined to modify the condition imposed by learned Judicial Magistrate No.5, (FAC) Salem in C.M.P. No.57 of 2019 in Crime No.19 of 2019, that the petitioner shall deposit the original title deed stands in the name of the petitioner or friends or relatives valued not less than Rs.1,00,00,000/- (Rupees One Crore Only) along with the property valuation certificate from the authority concerned.

5. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
Salem.
2. The Judicial Magistrate No.5,
(FAC) Salem.
3. The Inspector of Police,
CCB, Salem City.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.A.Saravanan, Advocate in Sr.No.27331

CRL.O.P.No.12222 of 2020

spd (co)
rr ii (04/09/2020)