

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.13855 of 2020

Nowsath,
S/o.Nizam,
No.16-A, Kannappapuram,
Saibaba Koil, Sahs College,
Coimbatore-641 043.

... Petitioner

Vs.

The Inspector of Police,
City Crime Branch,
Coimbatore.
Crime No.14 of 2020.

... Respondent

Prayer :- Criminal Original Petition filed under Section 439(1) (b) Cr.P.C. praying to modify the condition No.4 "the petitioner should deposit a Rs.5,00,000/- to the credit of the same in Crime No.14 of 2020 of City Crime Branch, before the Judicial Magistrate No.7, Coimbatore, at the time of producing of sureties" imposed in the order dated 21.07.2020 passed in Crl.M.P.No.1998 of 2020 by the Principal District & Sessions Court, Coimbatore.

For Petitioner	:	Mr.C.D.Sugumar
For Respondent	:	Mrs.S.Karthikeyan
		Additional Public Prosecutor

O R D E R

This Petition has been filed for modification to modify the order dated 21.07.2020 passed in Crl.M.P.No.1998 of 2020 on the file of the Principal District and Sessions Court, Coimbatore.

2.It is seen that the petitioner is 3rd accused in Crime No.14 of 2020 alleging that the petitioner along with other accused persons have misappropriated to the tune of more than 40 Lakhs. While considering the petitioners Anticipatory Bail petition, the Court below imposed condition that the petitioner is directed to deposit a sum of Rs.5 Lakhs to the credit of Crime No.14 of 2020 on the file of the respondent registered for the offences under sections 120(b), 408, 477(A) and 420 IPC

r/w.109 IPC.

3. The learned counsel for the petitioner would submit that the petitioner is not a direct employ of the defacto complainant and he is only technical assistant and he never misappropriated any amount as alleged by the prosecution. However, the petitioner is ready and willing to deposit the title deed to the said tune.

4. Considering the above submission, the condition imposed by Court below is modified to the effect in respect of condition No.(iv) alone, instead of depositing a sum of Rs.5 Lakhs to the credit of Crime No.14 of 2020 on the file of the respondent, he petitioner is directed to deposit the title deed not less than the value of Rs.20 lakhs stands in his name or his friends or his relative within a period of two weeks from the date of receipt of a copy of this order and execute the sureties as directed by the Court below. However, the other conditions remains unaltered.

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

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

mpa

To

1.The Principal District & Sessions Court, Coimbatore.

2.The Judicial Magistrate No.7,Coimbatore

3.The Inspector of Police,
City Crime Branch,
Coimbatore.

4.The Public Prosecutor,
High Court of Madras, Chennai.

+1cc to Mr.C.D.Sugumar, Advocate, Sr.No.29204

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GP(CO)
GS(20/10/2020)