

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2020

CORAM

THE HON'BLE Mr. JUSTICE P.N. PRAKASH

Crl.M.P.No.5120 of 2020

in Crl.A.No.714 of 2019

Pappaiah

... Petitioner

Vs.

The State represented by
Inspector of Police,
All Women Police Station,
Hosur,
Krishnagiri District.
(Crime No.15 of 2018)

... Respondent

Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. seeking to modify the condition imposed by this Hon'ble Court in Paragraph 7 and Condition No.(i) passed in Crl.M.P.No.14837 of 2019 in Crl.Appeal No.714 of 2019 dated 23.03.2020.

For Petitioner : Mr.Kesavan

For Respondents : Mrs.P.Kritika Kamal
Government Advocate (Crl.Side)

ORDER

This case is taken up through video conferencing.

2. This Court, vide order dated 20.03.2020 in Crl.M.P.No.14837 of 2019 in Crl.A.No.714 of 2019, suspended the sentence imposed on the appellant/accused (the petitioner herein) and directed his release on bail on certain conditions, one of which is as follows:-

"7 (i) that the Appellant/Accused shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh Fifty only) before the Trial Court, and on such deposit, the Trial Court is directed to release the Appellant/Accused on bail, on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of whom, one should be blood relative, each for a like sum to the satisfaction of the learned Fast Track Mahila Court, Krishnagiri;" (sic)

3. Since the petitioner has not been able to deposit the sum of Rs.1,00,000/-, he is in incarceration and therefore, he is seeking modification of the said condition.

4. The learned counsel appearing for the petitioner submitted that if the petitioner is released on bail and is granted two weeks time, he will be in a position to deposit the said amount.

5. Taking into consideration, the fact that the petitioner has not been able to enjoy the fruits of the order passed by this Court from 20.03.2020 till today, this Court is of the opinion that interests of justice will be served if the condition imposed in paragraph No.7(i) is modified.

6. Accordingly, this Criminal Miscellaneous Petition is allowed. A sum of Rs.1,00,000/- (Rupees One Lakh only) shall be deposited by the petitioner in the Trial Court within two weeks from the date of his release from custody. Rest of the conditions imposed in the order dated 20.03.2020 shall remain unaltered. If the petitioner fails to deposit the amount, he shall be taken in custody by the Trial Court.

18.09.2020

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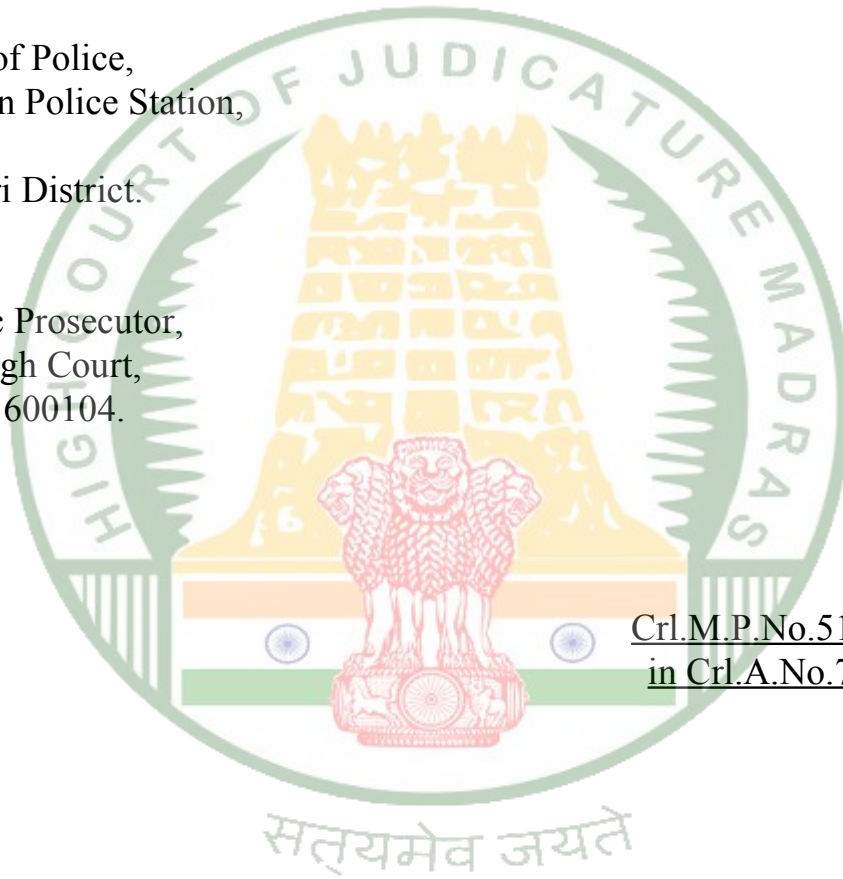
P.N.PRAKASH, J.

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To

1. Inspector of Police,
All Women Police Station,
Hosur,
Krishnagiri District.

2. The Public Prosecutor,
Madras High Court,
Chennai – 600104.



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in Crl.A.No.714 of 2019

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