

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.13925 OF 2020

Mr.Raj Babu @ Rajendra Raj Babu
S/o Rajendran
No.189, Kizh Street,
Ganapathypuram Post,
Chithur Village,
Arakkonam Taluk,
Ranipet District

... Petitioner

Vs.

State Rep by
The Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram,
Kanchipuram District.
(Crime No.720 of 2019).

... Respondent

Prayer:-

Criminal Original Petition filed under Section 482 of Cr.P.C. praying to modify the condition imposed by the Principal District And Sessions Judge, Kancheepuram District At Chengalpet, order dated 20.02.2020 made in C.M.P.No.492 of 2020 "(i) the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh Only) before the Tahsildar, Kancheepuram and on deposit, the said amount has to be deposited by the Tahsildar, Kancheepuram to the credit of the District Mines and Minerals Foundation Trust as Non Refundable Deposit".

For Petitioner : Mr.A.Saran Raj

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 20.02.2020 passed in Crl.M.P.No.492 of 2020 on the file of the Principal District And Sessions Judge, Kancheepuram District At Chengalpet.

2. The learned counsel for the petitioner would submit that the petitioner who apprehend arrest at the hands of the respondent police in Crime No.720 of 2019 for the offences under sections 430, 379 of I.P.C r/w 21(1) of Mines and Minerals Act and 3(i) of TNPPDL Act has filed a petition to grant anticipatory bail before the Court below. He would submit that the petitioner was granted anticipatory bail on 20.02.2020 by the learned Principal District And Sessions Judge, Kancheepuram District, in C.M.P.No.492 of 2020 on certain conditions. One of the anticipatory bail condition imposed was that the the petitioner shall deposit a sum of Rs.1,00,000/- (Rupees one lakh Only) before the Tahsildar, Kancheepuram and on deposit, the said amount has to be deposited by the Tahsildar, Kancheepuram to the credit of the District Mines and Minerals Foundation Trust as Non Refundable Deposit” .

3. The learned counsel for the petitioners further submitted that the petitioners were unable to mobilize funds, and hence, they are unable to comply with the condition though, the petitioners have been granted anticipatory bail on 20.02.2020. Hence he seeks to modify the condition imposed by the Court below.

4. In view of the submission made by the learned counsel for the petitioners, this Court modifies the said condition imposed by the learned Principal District and Sessions Judge, Kancheepuram District at Chengalpet , in C.M.P.No.292 of 2020 dated 20.02.2020 to the effect that instead of depositing a sum of Rs.1,00,000/- (Rupees one Lakh Only) the petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand Only) before the Tahsildar, Kancheepuram and on such deposit being made, the said amount has to be deposited by the Tahsildar, Kancheepuram to the credit of the District Mines and Minerals Foundation Trust as Non Refundable Deposit. However, the other conditions remain unaltered.

5. Accordingly, this Criminal Original Petition is ordered.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

smn

To

1. The Principal District & Sessions Judge,
Kancheepuram District at Chengalpattu.
2. The Tahsildar, Kancheepuram.
3. The Inspector of Police,
Kanchi Taluk Police Station,
Kanchipuram, Kanchipuram District.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

CRL.O.P.No.13925 of 2020

AJS (CO)
CS/02/11/2020



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