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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.13928 of 2020

Mr.Dhanasekar

... 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.251 of 2020 "(i) the petitioner shall deposit a sum of Rs.75,000/- (Rupees seventy five thousand 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" .

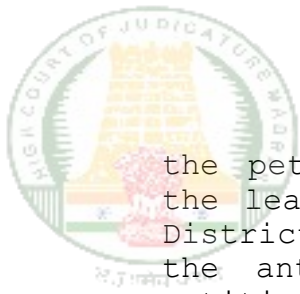
For Petitioner : Mr.A.Saran Raj

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.251 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.251 of 2020 on certain conditions. One of the anticipatory bail condition imposed was that the the petitioner shall deposit a sum of Rs.75,000/- (Rupees seventy five thousand 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. The learned Additional Public Prosecutor would submit that the petitioner has involved in illegal transportation of sand.

5. In view of the above submissions made by both sides and the nature of offence committed by the petitioner, it is observed that the condition imposed by the Court below is just and reasonable and there is no necessity to interfere and modify the condition imposed by the Court below.

6. With the above direction, this Criminal Original Petition is dismissed.

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.

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AJS (CO)
CS/02/11/2020

CRL.O.P.No.13928 of 2020