

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2020

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.15063 of 2020

Hariprasanth,
S/o. Velmurugan

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
E-3 Minjur Police Station,
Tiruvallur District.

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 439(1)(b) of Cr.P.C. to modify the following conditions viz., “The petitioner is directed to deposit Rs.25,000/- before the said Magistrate and on deposit the de-facto complainant is permitted to withdraw the same from the Judicial Magistrate II, Ponneri and the petitioner should execute the Bond within 15 days from the date of order” of the Learned Principal District and Sessions Judge at Tiruvallur imposed on the petitioner in Crl.M.P.No.797 of 2020 in Crime No. 82 of 2020 pending on the file of the respondent by its order dated 25.02.2020.

For Petitioner : Mr.P. Bharath

For Respondent : Mr. M. Mohamed Riyaz
Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

This Criminal Original Petition has been filed to modify the conditions viz., “The petitioner is directed to deposit Rs.25,000/- before the said Magistrate and on deposit the de-facto complainant is permitted to withdraw the same from the Judicial Magistrate II, Ponneri and the petitioner should execute the Bond within 15 days from the date of order” of the Learned Principal District and Sessions Judge at Tiruvallur imposed on the petitioner in Crl.M.P.No.797 of 2020 in Crime No. 82 of 2020 pending on the file of the respondent.

2. The learned counsel for the petitioner would submit that the petitioner had applied for anticipatory bail and the Trial Court by order dated 25.02.2020 in Crl.M.P.No.797 of 2020 had granted anticipatory bail with a condition to direct the petitioner to deposit an amount of Rs.25,000/-(Rupees Twenty Five Thousand only). He would submit that due to the pandemic situation, the petitioner was not able to deposit the amount. Hence, he prays for modification of the condition imposed on the petitioner.

3. The learned Additional Public Prosecutor would submit that the petitioner is the A2 and that only on the submission made by the learned counsel for the petitioner, the petitioner is directed to pay the amount and the Trial Court had granted anticipatory bail with a condition to pay a sum of Rs.25,000/- before the concerned Magistrate and on deposit, the de-facto complainant is permitted to withdraw the same. He would submit that the victim/de-facto complainant had spent about Rs.50,000/- (Rupees Fifty Thousand only) towards medical expenses and that is the reason why, the Principal District and Sessions Judge had directed the petitioner to deposit the said amount.

4. Considering the facts and circumstances of the case, this Court is inclined to modify the condition imposed on the petitioner in Crl.M.P.No.797 of 2020 dated 25.02.2020. However, the petitioner is directed to deposit an amount of Rs.20,000/-(Rupees Twenty Thousand only) before the concerned Magistrate.

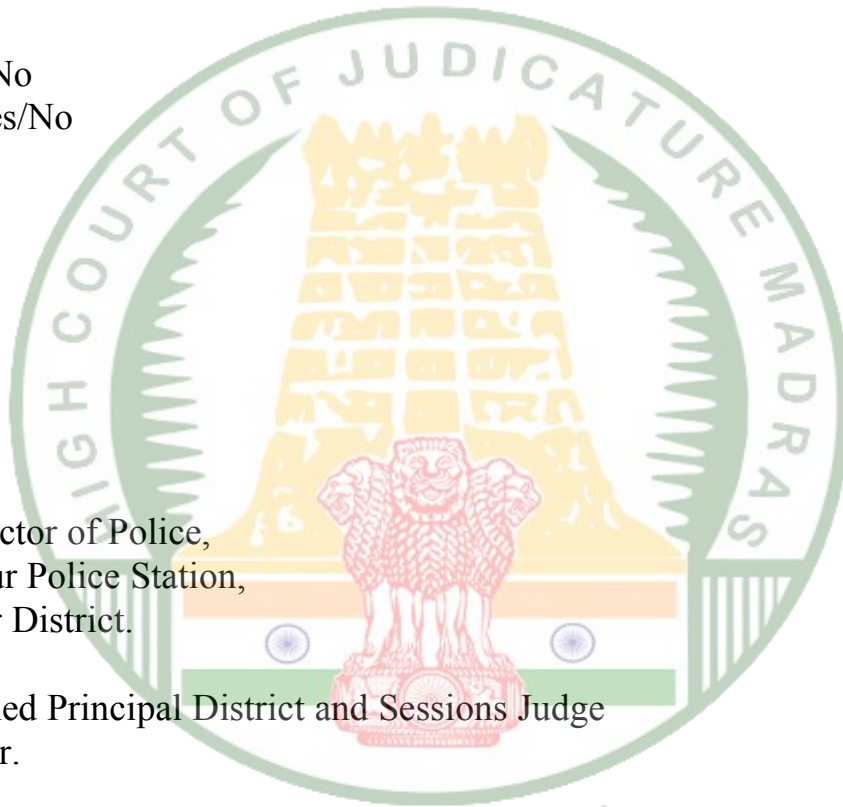
5. With the above direction, this Criminal Original Petition is modified.

25.09.2020

Index: Yes/No
Internet : Yes/No
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To

1. The Inspector of Police,
E-3 Minjur Police Station,
Tiruvallur District.
2. The learned Principal District and Sessions Judge
Tiruvallur.
3. The Public Prosecutor,
High Court, Madras.

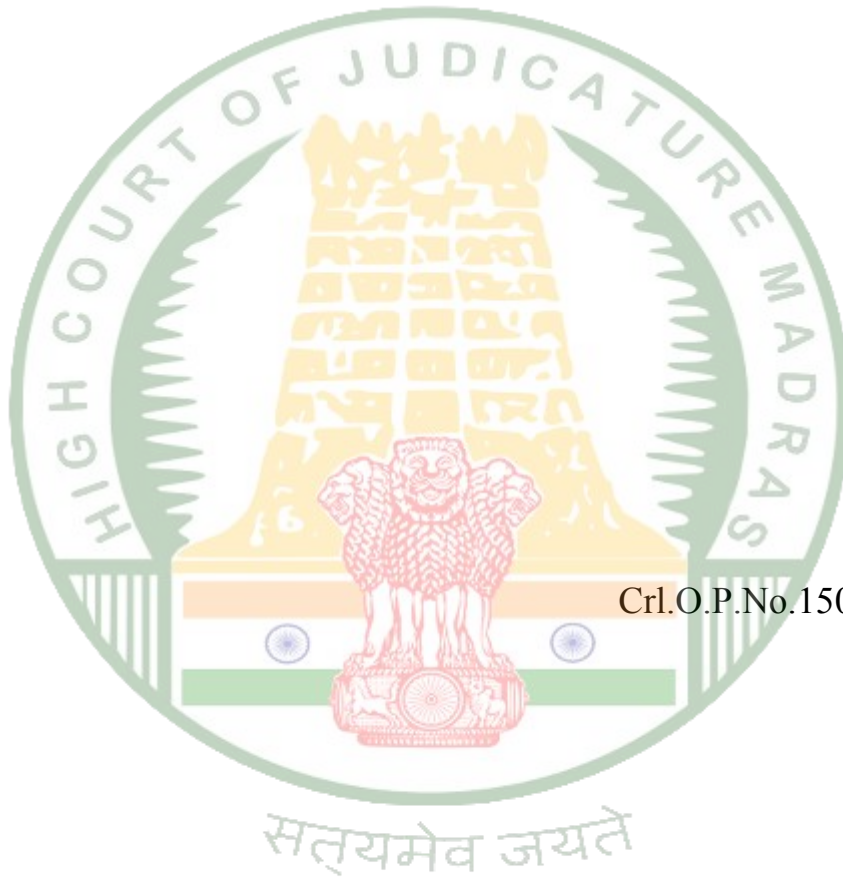


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A. D. JAGADISH CHANDIRA, J.

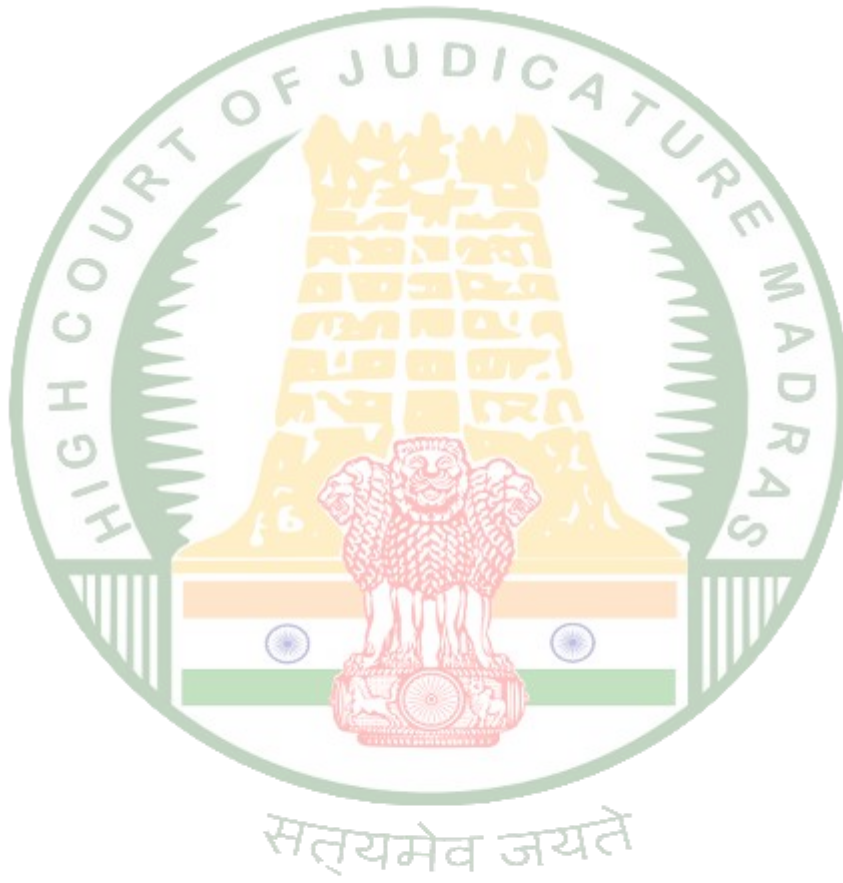
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