

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.12.2020

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

Crl.M.P.No.7205 of 2020

in Crl.O.P.No.15813 of 2020

Tamilvanan

... Petitioner

Vs.

State rep by
The Sub-Inspector of Police,
District Crime Branch,
Cuddalore.
(Crime No.14 of 2020)

.... Respondent

Prayer: This petition has been filed under Section 482 of Cr.P.C. to modify the condition imposed on the petitioner that the petitioner shall deposit the original title deeds of immovable property either belonging to him or his relatives worth Rs.10,00,000/- (Rupees ten lakhs only) along with solvency certificate to the credit of Crime No.14 of 2020 before the Judicial Magistrate No.II, Cuddalore within a period of 15 days from the date on which the order copy made ready in Crl.O.P.No.15813 of 2020 dated 07.10.2020.

For Petitioner : Mr.G.Pugazhenthir

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

सत्यमेव जयते
ORDER

(This case has been heard through video conference)

This petition has been filed to modify the condition imposed on the petitioner that the petitioner shall deposit the original title deeds of immovable property either belonging to him or his relatives worth Rs.10,00,000/- (Rupees ten lakhs only) along with solvency certificate to the credit of Crime No.14 of 2020 before the Judicial Magistrate No.II, Cuddalore within a period of 15 days from the date on which the order copy made ready in Crl.O.P.No.15813 of 2020 dated 07.10.2020.

2. The learned counsel appearing for the petitioner would submit that this Court granted anticipatory bail to the petitioner in Crl.O.P.No.15813 of 2020 dated 07.10.2020 and one of the condition imposed by this court was directing the petitioner to

deposit original title deeds of immovable property either belong to him or to his relatives worth of Rs.10,00,000/- along with solvency certificate to the credit of Crime No.14 of 2020 before the Judicial Magistrate No.II, Cuddalore. The learned counsel would further submit that though the petitioner is prepared to furnish four original title deeds of immovable properties worth market value of more than Rs.20 Lakhs belonging to the petitioner's mother-in-law and brother-in-law, the guideline of the property is very less and thereby, the learned Judicial Magistrate is refusing to accept the same. He would also submit that the petitioner is prepared to produce original title deeds of documents bearing (1) No. 316/2013, dated 10.06.2013, while pertains to a land to an extent of 77 cents, (2) No.485/2010, dated 16.06.2010 while pertains to a land to an extent of 1 acre 83 cents, (3) No.486 of 2010, dated 16.06.2010, which pertains to a housing plot to an extent of 2020 sq.ft., and (4) another document No.209/2016, dated 28.03.2016, which pertains to a housing site to an extent of 15 cents. He would further submit that all the properties are situated in Nandimangalam Village and the documents are registered at the office of SRO Kumaratchi. He would further submit that taking into consideration of all the documents, in total, the market value of the properties is more than Rs.20 lakhs. He would submit that since the petitioner is unable to get the solvency certificate, he is unable to furnish the documents before Court. Hence, he would pray for modification and seek for a direction that the petitioner may be permitted to deposit the above documents belonging to his relatives to the credit of Crime No. 14 of 2020.

3. Heard both sides.

4. In view of above submissions, the condition No.5(b) is modified as follows :-

"The petitioner shall deposit the original title deeds of immovable property bearing (1) document No. 316/2013, dated 10.06.2013, pertains to a land to an extent of 77 cents, (2) document No.485/2010, dated 16.06.2010, pertains to a land to an extent of 1 acre 83 cents, (3) document No.486 of 2010, dated 16.06.2010, which is a housing plot to an extent of 2020 sq.ft., and (4) another document No.209/2016, dated 28.03.2016, which is a housing site to an extent of 15 cents (within Nandimangalam Village and registered of the office of the SRO Kumaratchi) belonging to petitioner's mother-in-law viz., Amirthavalli and brother-in-law viz., Sankar."

All other conditions imposed by this Court shall remain intact. Accordingly, this petition is ordered.

-sd/-
10/12/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, CUDDALORE.

2 THE CHIEF JUDICIAL MAGISTRATE
CUDDALORE. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB-INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
CUDDALORE.

C.C. to M/S.G.PUGAZHENTHI Advocate on payment of necessary charges

Order

in
CRL MP.7205/2020

in
CRL OP.15813/2020

Date :10/12/2020

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