

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL MP No.7870 of 2020

in

CRL OP No.10605 of 2020

M.Rajammal

... Petitioner

Vs

State rep. by its
Inspector of Police
S-8, Adambakkam Police Station,
Adambakkam, Chennai District.
(Crime No.619 of 2019)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Code of Criminal Procedure to modify the condition imposed the petitioner "Para 6 - (c) the petitioner shall report before the respondent police daily at 10.00 a.m. for a period of two weeks and thereafter as and when required for interrogation in Crl. O.P. No.10605 of 2020 order dated 04.09.2020.

For petitioner : Mr.P.Saravana Sowmiyan

For respondents : Mr.R.Aneesan,
Government Advocate

ORDER

This petition has been filed to modify the condition imposed in Crl.OP No.10605 of 2020 in Clause 6(c).

2. The learned counsel for the petitioner submits that the issue involved in the main petition is for payment of dues with the bank. However, in compliance to the order of this Court dated 4.9.2020, the entire amount was paid to the bank and, therefore prays appropriate modification to clause 6(c) of the said order, wherein the petitioner was directed to appear before the respondent police daily for a period of two weeks for interrogation and, thereafter, as and when necessary.

3. Mr.R.Aneesan, learned Government Advocate appearing for the respondent - police submits that still some amount is due to be recovered from the petitioner and, therefore, he opposes the grant of such a relief.

4. A perusal of the records reveal that in addition to property security to the tune of Rs.20,00,000/-, the petitioner has deposited Rs.10,00,000/- as per the directions of this Court. Though it is represented by the learned Government Advocate appearing for the respondent that dues are pending, it is clear that the petitioner has paid an amount equivalent to the amount of misappropriation and, therefore, there is no necessity for the petitioner to appear before the respondent police.

5. Accordingly, the condition imposed on the petitioner in Clause 6(c) of order dated 04.09.2020 is relaxed and the petitioner is not required to appear before the respondent police. However, it is made clear that if the respondent police wants to interrogate the petitioner on any phase of the case, they may summon him by putting the petitioner on prior notice. Further, it is made clear that unless it is very much necessary, the presence of the petitioner before the police shall not be insisted.

6. This petition is ordered accordingly.

-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, सत्यमेव जयते
ALANDUR

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 INSPECTOR OF POLICE,
S8 ADAMBAKKAM POLICE STATION,
ADAMBAKKAM, CHENNAI.

5 THE BRANCH MANAGER,
BANK OF BARODA, ADAMBAKAM BRANCH

C.C. to M/S.P.SARAVANA SOWMIYAN Advocate on payment of
necessary charges Sr.8117

Order

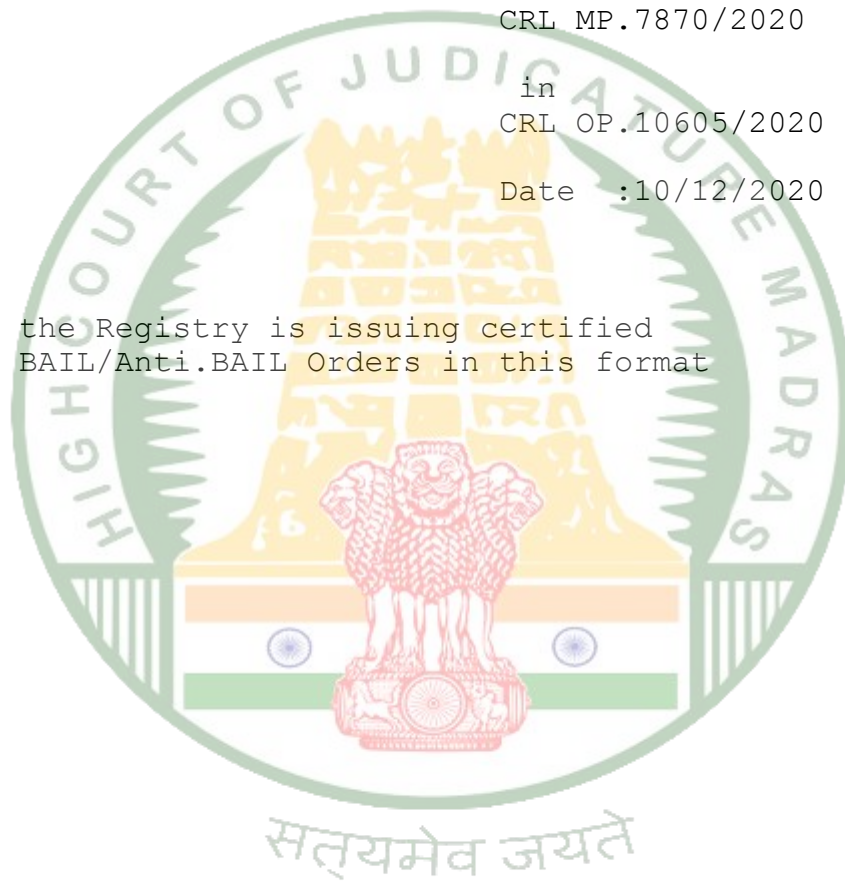
in
CRL MP.7870/2020

in
CRL OP.10605/2020

Date :10/12/2020

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RVR 15/12/2020



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