

Crl.O.P.No.20516 of 2020

V.SIVAGNANAM.J.

This case is taken up through video conferencing.

2. At the instance of the learned counsel for the petitioner, this matter is listed today under the caption “for clarification”.

3. Heard learned counsel for the petitioner and learned Government Advocate (Crl.side).

4. The learned counsel for the petitioner submitted that this Court by order dated 30.12.2020, granted bail to the petitioner on condition to deposit a sum of Rs.10,00,000/- on or before 30.01.2021. He would submit that when he had approached the learned XIII Metropolitan Magistrate, Egmore, for furnishing sureties, the same was rejected by the learned Magistrate stating that the accused had not deposited the sum of Rs.10,00,000/- into the court. He further submitted that the petitioner is not in a position to deposit a sum of Rs.10,00,000/- immediately. However, he submitted that the petitioner is ready to pay an amount of Rs.3,00,000/- at the time of furnishing sureties and would pay the balance amount of Rs.7,00,000/- on or before 30.01.2021. Hence, he prays for appropriate orders.

5. In view of the above submission, paragraph No.6(a) to 6(i) of the order in Crl.O.P.No.20516 of 2020, dated 30.12.2020 shall be read as follows;

6 (a)Accordingly, the petitioner is directed to deposit a sum of Rs.3,00,000/- (Rupees three lakhs only) to the credit of Crime no.1481 of 2020 and on such deposit,

the petitioner is ordered to be released on bail on condition to execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand) with two sureties, each for a like sum to the satisfaction of the learned XIII Metropolitan Magistrate, Egmore, and on further conditions that;

(b) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) The petitioner shall appear before the respondent police everyday at 10.30 a.m., until further orders.

(d) the petitioner shall pay the remaining amount of Rs.7,00,000/- (Rupees seven lakhs only) to the credit of Crime No.1481 of 2020 on or before 30.01.2021, failing which, the bail granted to the petitioner shall automatically stand dismissed and it is opened to the respondent police to arrest the petitioner and to proceed in accordance with law.

(e) the petitioner shall not commit any offences of similar nature;

(f) the petitioner shall not abscond either during investigation or trial;

(g) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(h) on breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560];

(i) if the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

The Registry is directed to make necessary correction in the order and issue a fresh order copy today 07.01.2021

07.01.2021

vsn

सत्यमेव जयते

WEB COPY

V.SIVAGNANAM,J.

vsn



Crl.O.P.No.20516 of 2020

WEB COPY

07.01.2021