



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2020**

CORAM:

WEB COPY

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

Crl.O.P.(MD)No. 283 of 2020

Vijay

... Petitioner/ Petitioner

Vs

The Inspector of Police,
Devakottai Taluk Police Station
Sivagangai District
(Crime No. 216 of 2019)

... Respondent/Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to relax the conditions of bail granted to the petitioner in Crl.M.P.No.29 of 2020 dated 04.01.2020 insofar as payment of Rs.40,000/- as cash security before the learned Judicial Magistrate, Devakottai, Sivagangai District is concerned.

For Petitioner : Mr.B.Santhanam Rajesh Kumar, Advocate
For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking to relax the conditions of bail granted to the petitioner in Crl.M.P.No.29 of 2020 dated 04.01.2020 insofar as payment of Rs.40,000/- as cash security before the learned Judicial Magistrate, Devakottai, Sivagangai District

2. The learned counsel appearing for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 16.12.2019 by the respondent police in Crime No. 216 of 2019 for the offences under Sections 379 of IPC r/w.Section 21(4)of Mines and Minerals (Development and Regulation) Act, 1957. He would further submit that the petitioner has filed an application for bail Cr.M.P.No.29 of 2020 before the learned Principal District and Sessions Judge, Sivagangai and the same was allowed and granted bail to the petitioner on 04.01.2020 on condition that the petitioner shall deposit a sum of Rs. 40,000/- before the learned Judicial Magistrate, Devakottai. He would further submit that the petitioner is a driver and he is unable to deposit the aforesaid amount due to his poor financial status and hence, the petitioner is before this



Court seeking for modification of the order directing the petitioners to deposit a sum of Rs.40,000/-. He would further submit that in similar matters this Court depending upon the number of units fixes the amount @ Rs.5000/- per units and thereby he seek for modification of the said condition alone.

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3. Heard the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

4. In view of the aforesaid submissions made by the learned counsel appearing for the petitioner, the condition imposed by the learned Principal District and Sessions Judge, Sivagangai in Cr.M.P.No.29 of 2020, dated 04.01.2020 that the petitioner shall deposit a sum of Rs.40,000/- to the learned Judicial Magistrate, Devakottai is modified to the effect that the petitioner shall deposit a non refundable deposit of **Rs.20,000/- (Rupees Twenty thousand only)** to the credit of the concerned District Mineral Foundation Trust. All other conditions in the order passed by the learned Principal District and Sessions Judge, Sivagangai in Crl.M.P.No. 29 of 2020 dated 04.01.2020 shall remain unaltered.

Sd/-

Assistant Registrar

/TRUE COPY/

/ /2020

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge,
Sivagangai.
2. The Inspector of Police,
Devakottai Taluk Police Station
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
4. The Judicial Magistrate,
Devakottai.
5. The Officer-in-Charge,
The District Mineral Foundation Trust,
Sivagangai.

+1 CC to M/s.S.SATHIYACHIDAMBARAM, Advocate (SR-1088[F] dated 09/01/2020)

Crl.O.P. (MD)No.283 of 2020
09.01.2020

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<https://hcservices.mca.gov.in/hcservices/01/SAK-1709-01-2020/2P/7C>