



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Second day of March Two Thousand Twenty

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP(MD) No.1836 of 2020

IN

CRL OP(MD) No.21072 of 2018

1 S.SRIDHAR

2 S. RAMASUBRAMANIAN @ RAVI ... PETITIONERS/PETITIONERS/
ACCUSED Nos.1 & 2

Vs

1.THE STATE REP.BY ITS
THE ASSISTANT COMMISSIONER OF POLICE,
CITY CRIME BRANCH, TRICHY CITY, TRICHY.

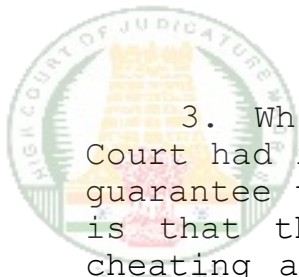
2 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY.
(CRIME NO. 47 OF 2018) ... RESPONDENTS/RESPONDENTS/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to modify the condition imposed in Crl.OP(MD)No.21072 of 2018 dated 14.02.2019, in respect of furnishing the bank guarantee for a sum of Rs.75,00,000/- in crime No.47/2018 by the petitioners before the learned Judicial Magistrate No.II, Trichy and also permit the petitioner to withdraw the amount of Rs.75,00,000/-.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.J.JEYAKUMARAN, Advocate for the petitioner and of MR.R.ANANDHARAJ, Additional Public Prosecutor on behalf of the Respondents the court made the following order:-

This petition has been filed to modify the condition imposed in Crl.O.P(MD) No. 21072 of 2018 dated 04.02.2019 in respect of furnishing bank guarantee for a sum of Rs.75,00,000/- in Crime No. 47 of 2018 by the petitioners before the learned Judicial Magistrate No.II, Trichy and also permit the petitioner to withdraw the amount of Rs.75,00,000/-

2. Heard the learned counsel for the petitioners who seek modification of the condition imposed on him.



3. While granting anticipatory bail to the petitioners this Court had imposed condition that the petitioners should furnish bank guarantee to the tune of Rs.75,00,000/- The reason behind this order is that the complaint against the petitioners was in respect of cheating and fabrication of accounts to the tune of Rs. 3 crores. The petitioner herein in this application wants to modify the order and permit him to get back Rs.75,00,000/- deposited as pre condition for anticipatory bail Since investigation has been completed and final report was filed . This Court taking into consideration the averments made in the affidavit find that the filing of final report cannot be a reason to allow the petitioner to withdraw the money deposited as pre-condition for granting anticipatory bail. If the money is released there is a possibility for non cooperation to trial by the petitioner . Further more the petitioners counsel submitted that he has also filed quash petition and the same is pending. If he succeeds in the quash petition, he is entitled to get the money, but not pending trial

4. Hence this petition seeking modification of the anticipatory bail condition does not carry any merit.

5. In the result, this petition is dismissed.

sd/-

02/03/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE NO.I, TRICHY.
2. THE CHIEF JUDICIAL MAGISTRATE, TRICHY DISTRICT.
3. THE ASSISTANT COMMISSIONER OF POLICE,
CITY CRIME BRANCH, TRICHY CITY, TRICHY.
- 4 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH, TRICHY CITY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.J.JEYAKUMARAN, Advocate (SR-4763[I] dated 04/03/2020)

ORDER IN

CRL MP(MD) No.1836 of 2020

IN

CRL OP(MD) No.21072 of 2018

Date :02/03/2020

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<https://hcs.mca.gov.in/Services/05.03.2020> 2P 7C