



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

Date : 03/08/2020

PRESENT

The Hon`ble Mr.Justice V.BHARATHIDASAN
CRL OP(MD) . No.7763 of 2020

WEB COPY

1. Sivalingam,
S/o. Arumugam, Kondamaanginam, Kadavur Taluk,
Karur District..

2. Murugan,
S/o. Seeraan, Varunthipatti, Thogamalai
Village, Kulithalai Taluk,
Karur District..

3. Murugan,
S/o. Seeraan, Varunthipatti, Thogamalai
Village, Kulithalai Taluk,
Karur District..

... Petitioners/A-1 & A-2

Vs

The Sub Inspector of Police,
Thogamalai Police Station, Karur
District. (Cr.No. 250 of 2020)..

... Respondent/Complainant

PRAYER:- Petition filed under Section 482 of Cr.P.C., to call for the records pertaining to dismissal of Condition Relaxation Petition Order Cr.MP.No.582 of 2020, dt.9.6.2020 passed by the District and Session Court of Karur District at Karur and set aside the same and to pass such further or other orders.

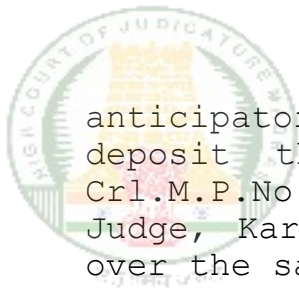
For Petitioner : M/s.R.Murugappan,
Advocate.

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

ORDER

The petition has been filed to set aside the order, dated 09.06.2020 in Crl.MP.No.582 of 2020, passed by the learned District and Session Judge, Karur.

2. On perusal of records, it is seen that the learned Sessions Judge, Karur while granting anticipatory bail, directed the petitioners to deposit a sum of Rs.50,000/-before the learned Judicial Magistrate No.I, Kulithalai on or before 05.06.2020 and on such deposit and production of the receipt thereof before the respondent police, they are ordered to be released on interim



anticipatory bail. Hence, the petitioners were not in a position to deposit the aforesaid amount they have filed a petition in Crl.M.P.No.582 of 2020 for relaxation before the learned District Judge, Karur and the same was dismissed on 09.06.2020. Aggrieved over the same, the instant petition is filed.

WEB COPY

2. The learned counsel appearing for the petitioners would submit that the petitioners are Poosari and they are doing poojas only and at request of the defacto complainant they conducted pooja to resolve the plight situation of the defacto complainant. Since the petitioners are poosari they are not able to deposit the aforesaid amount. Hence, seeking modification of the deposit amount.

3. Heard the learned Government Advocate (criminal side) appearing for the respondent police and perused the materials available on record.

4. Considering the allegation made in the FIR that, the petitioners said have received a sum of Rs.20,000/- (Rupees Twenty Thousand Only) from the defacto complainant under the guise of reuniting the husband and wife and thereby cheated the defacto complainant and thereafter, the complaint has been filed and considering the fact that the the petitioners said to have received only a sum of Rs.20,000/- (Rupees Twenty Thousand Only) from the defacto complainant and hence, this Court is inclined to modify the deposit amount.

6.Hence, the order, dated 09.06.2020 in Crl.M.P.No. 582 of 2020 passed by the learned District and Sessions Judge, Karur is set aside. The petitioners are directed to deposit a sum of Rs.20,000/- (Rupees Twenty Thousand Only) instead of Rs.50,000/- (Rupees Fifty Thousand Only) before the learned Judicial Magistrate No.I, Kulithalai, within a period of Two weeks, from today.

7. With the above modification, this petition is ordered accordingly.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

KSA

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant



TO

1. The Sub Inspector of Police,
Thogamalai Police Station,
Karur District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL OP (MD) No.7763 of 2020
03/08/2020

KB (14.08.2020) 3P 3C