

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.02.2021**

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.2532 of 2021

M.Sampath Kumar

.. Petitioner

Vs.

State represented by
Superintendent of GST and Central Excise,
Race Course,
Coimbatore.
(Crime No.IV/06/128/2018-HPU)

.. Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) of Criminal Procedure Code praying to modify the condition 'the petitioner shall produce security or bank guarantee for a sum of Rs.1 Crore or the petitioner shall produce by way of title deed or title deeds standing in the name of petitioner or his relatives and having market value not less than 1 Crore' imposed by an order dated 14.12.2020 in Crl.M.P.No.3365 of 2020, on the file of the learned Principal Session Judge, Coimbatore.

For Petitioner : Mr.Prakash Goklaney
for Mr.A.Ashokkumar

For Respondent : Mr.N.P.Kumar
Spl.P.P. for GST

ORDER

(The case has been heard through video conference)

The petitioner was arrested and remanded to judicial custody on 29.10.2020 for the offence punishable under Section 132(1)(b)(c) of GST Act, 2017 in Crime No.IV/06/128/2018-HPU. He filed a bail application in Crl.M.P.No.3365 of 2020 before the learned Principal Sessions Judge, Coimbatore and was granted bail on 14.12.2020 with conditions. As the petitioner was unable to comply the the condition viz., production of security or bank guarantee for a sum of Rs.1 Crore or the petitioner shall produce by way of title deed or title deeds standing in the name of petitioner or his relatives and having market value not less than 1 Crore, the present criminal original petition has been filed seeking modification.

2. Heard the learned counsel on either side.

3. Considering the fact that the total tax evasion by the petitioner is more than Rs.9 crores, the trial Court while granting bail has taken a lenient view and directed the petitioner to deposit title deeds or furnish bank guarantee for Rs.1 crore. Therefore, the said condition does not require any

modification at the hands of this Court. Hence, this petition is dismissed. However, considering the difficulty expressed by the learned counsel for the petitioner in producing the security / bank guarantee, a further period of six weeks from today is granted to the petitioner to comply with the said condition.

22.02.2021

kk

To

- 1.The Principal Sessions Judge,
Coimbatore.
2. The Superintendent of GST and Central Excise,
Race Course,
Coimbatore.
(Crime No.IV/06/128/2018-HPU)
- 3.The Public Prosecutor,
High Court of Madras, Chennai.

WEB COPY

V.BHARATHIDASAN, J.

kk



Crl.O.P.No.2532 of 2021

WEB COPY

22.02.2021