

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.04.2021

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THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.3522 of 2021

Vijayakanth
S/O.Narasimahan

... Petitioner

Vs.

State represented by,
The Inspector of Police,
CCB Police Station
Coimbatore
(Crime No.52 of 2020)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to modify the order made in Crl.M.P.No.17 of 2021 dated 09.02.2021 on the file of the learned Principal District & Sessions Judge, Coimbatore.

For Petitioner : M/s.Om Sai Ram

For Respondent : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

O R D E R

This Criminal Original petition has been filed to modify the order made in Crl.M.P.No.17 of 2021 dated 09.02.2021 on the file of the learned Principal District & Sessions Judge, Coimbatore.

2. The petitioner was arrested and remanded to judicial custody and therefore, he filed a petition for bail in Crl.M.P.No.17 of 2021 before the learned Principal District & Sessions Judge, Coimbatore. The Court below while granting bail to the petitioner has imposed the following condition:

"(ii) The petitioner is directed to deposit a sum of Rs.10,00,000/- (Rupees ten lakhs only) to the credit of the same in Crime No.52 of 2020 of CCB, Coimbatore, before the Judicial Magistrate No.7, Coimbatore within 15 days from the date of this order (iii) learned Magistrate No.7, Coimbatore is directed to submit report to this Court with regard to the deposit of the amount.

<https://hcservices.ecourts.gov.in/hcservices/>

To modify the aforesaid condition, the present petition has been filed.

3.The learned counsel for the petitioner submitted that the petitioner is working as goldsmith in a gold manufacturing unit and he has been falsely implicated in this case. According to him, the condition imposed by the Court below is onerous one and therefore, he is unable to comply with the order passed by the Principal District & Sessions Judge, Coimbatore. Hence, he seeks for modification of the condition.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner is a goldsmith and he has received gold from the de-facto complainant for making ornaments and thereafter, neither he made ornaments nor returned the gold to the de-facto complainant and the value of the gold received by the petitioner is Rs.47,00,000/-. He would further submit that the petitioner has committed very serious offence and hence, the learned Magistrate has rightly imposed the above said condition and there is no ground to interfere with the same.

5. Considering the facts and circumstances of the case and the submissions made by the learned Government Advocate (Crl.Side), the condition imposed on the petitioner by the Court below is just and reasonable and there is no ground to interfere with the same and hence, this petition is liable to be dismissed.

6. Accordingly, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal District & Sessions Judge,
Coimbatore
2. The Judicial Magistrate NO.7,
Coimbatore.
3. The Inspector of Police,
CCB Police Station
Coimbatore
4. The Public Prosecutor,
High Court, Madras.