

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.03.2021

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.5162 of 2021

N.Krishnappa

.. Petitioner

Vs.

1. State rep. by
The Inspector of Police,
CCB 1/PS Chennai,
CCB District, EDF-II, Team-4,
Chennai Crime Branch,
Vepery, Chennai.

2. Raja Ravi Shankar

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order passed by the learned CCB-CBCID Court, for trial of cases Crl.M.P.No.12974 of 2020 in C.C.No.3129 of 2020 dated 19.02.2021.

For Petitioner : Mr.K.Balasubramaniam

For Respondents: Mr.Mohamed Riyaz, R1

Additional Public Prosecutor

O R D E R

This petition has been filed challenging the order passed by the Court below in Crl.MP.No.12974 of 2020, dated 19.02.2021 wherein the Court below has directed the petitioner to deposit a sum of Rs.30,00,000/- which was imposed as a condition by this Court while granting anticipatory bail to the petitioner. The Court below has granted two weeks time to the petitioner to comply with the condition.

2. The learned counsel for the petitioner submitted that the petitioner has already approached this Court and filed a quash petition and the same has also been entertained by this Court and interim orders have been passed. Therefore, the learned counsel submitted that the Court below ought not to have passed the order dated 19.02.2021 directing the petitioner to deposit a sum of Rs.30,00,000/-.

3. In the considered view of this Court, the condition was imposed by this Court while granting anticipatory bail to the petitioner and the time for deposit of the money was also extended from time to time. This Court, while passing the order in the anticipatory bail petition, also made it clear that the Court below can take appropriate action against the petitioner if he does not comply with the condition imposed by this Court, by relying upon the judgment of the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala reported in 2005 AIR SCW 5560. Entertaining a quash petition and granting interim order has not nothing to do with the condition that was imposed on the petitioner. Unless this condition is modified, the petitioner is bound to comply with the condition and the court below was right in entertaining the petition and directing the petitioner to comply with the condition. This Court does not find any ground to interfere with the order passed by the Court below.

4. This Criminal Original Petition is dismissed accordingly.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rli
To

1. The Inspector of Police,
CCB 1/PS Chennai,
CCB District, EDF-II, Team-4,
Chennai Crime Branch,
Vepery, Chennai.

2. The CCB-CBCID Court, सत्यमेव जयते
Egmore, Chennai.

3. The Public Prosecutor,
High Court, Madras.

PL(CO)
RMP(09/04/2021)

Cr1.O.P.No.5162 of 2021