

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Eighth day of April Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.4951 of 2021

IN CRL OP.22427/2017

TAMILSELVAN

[PETITIONER]

Vs

THE STATE REP.BY

[RESPONDENT]

INSPECTOR OF POLICE,
NAMAKKAL POLICE STATION,
NAMAKKAL.

REF.CRIME NO.357 OF 2017

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the condition no.iv imposed in Crl.O.P.No.22427 of 2017 with regard to deciding the on the final order in respect of the said deposit shall be passed the Trial Judge at conclusion of trial by this Hon'ble Court in Crime No.357 of 2017 on the file of the Inspector of Police, Namakkal Police Station, Namakkal

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S. P.N.VIGNESH, Advocate for the petitioner and of MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition imposed in Crl.O.P No.22427 of 2017 by this Court vide order dated 30.10.2017 in Crime No.357 of 2017 on the file of the Inspector of Police, Namakkal Police Station, Namakkal.

2. The petitioner was arrested and remanded to judicial custody and therefore, he filed a petition for bail in Crl.O.P No.22427 of 2017 before this Court. This Court while granting bail to the petitioner has imposed a condition that the petitioner shall deposit a sum of Rs.5,00,000/- to the credit of Crime No.357 of 2017 before the Judicial Magistrate No.I, Namakkal, without prejudice to his defence. The petitioner had deposited the sum of Rs.5,00,000/- on 1.11.2017 and complied with the condition imposed by this Court. Now, the case is at the stage of trial. The petitioner has deposited the said sum by arranging loan and finding difficult to repay even the interest. Hence, he seeks to modify the condition imposed and permit the petitioner to withdraw the sum of Rs.5,00,000/-.

3. The learned counsel for the petitioner submitted that the petitioner has complied with the condition imposed by this Court and he seeks to modify the condition imposed and permit the petitioner to withdraw the amount deposited by the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the condition imposed by this Court is reasonable and there is no ground to interfere with the same.

5. Subsequent to the above submission, the learned counsel for the petitioner submitted that the case is pending from 2017 and he prays to direct the trial Court to complete the trial within a stipulated time.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel, 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.

7. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, the trial Court is directed to complete the trial within a period of six months from the date of receipt of a copy of this order.

-sd/-
28/04/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE NO.I,
NAMAKKAL.

2 THE CHIEF JUDICIAL MAGISTRATE
NAMAKKAL [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NAMAKKAL POLICE STATION,
NAMAKKAL DISTRICT.

+1C.C. to M/S. P.N.VIGNESH Advocate on payment of necessary charges SR NO.5463

Order

in
CRL MP.4951/2021

in
CRL OP.22427/2017

Date :28/04/2021

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MK:21/06/2021



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