

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

CRL.O.P.NO.6641 OF 2021

Senthil Guru Vinoth Kumar

...Petitioner

Versus

The Inspector of Police,
Kodungaiyur Police Station,
Chennai-118.
Crime No.1560 of 2020

...Respondent

PRAYER:

Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the order dated 15.03.2021 in Crl.MP.No.4461 of 2021 on the file of the Principal Sessions Judge, Chennai by waiving off payment of deposit of Rs.2,00,000/- to the credit of crime No.1560 of 2020 and to appear before the respondent police daily at 10.30 am until further orders, in the terms of aforesaid order.

For Petitioner : Mr.Vijay Gurudass

For Respondent : Ms.P.Krithika Kamal,
GA, (Crl.Side)

O R D E R

This petition has been filed seeking to modify the condition imposed by the Court below while suspending the sentence imposed against the petitioner for an offence under Sections 294(b), 406, 420 and 506(i) of IPC.

2. It is seen from the records that the amount alleged to have been cheated is more than Rs.7,00,000/-. The trial Court, at the time of considering the petition for bail, had imposed a condition that the petitioner should deposit a sum of Rs.2,00,000/- before the Court below.

3. Aggrieved by the same, the present petition has been filed.

4. This Court does not find any infirmity or illegality in the order passed by the Court below. The Court below had considered the total cheque amount and had imposed a reasonable condition to the petitioner to deposit a sum of Rs.2,00,000/-.

5. This is a discretion exercised by the Court below and this Court cannot interfere with the same unless this Court finds an apparent perversity in the order.

6. In the result, this Criminal Original Petition is dismissed and the order of the Court below is confirmed. However, in the facts and circumstances of the case, this Court grants a further period of four weeks from the date of receipt of a copy of this order to comply with the order passed by the Court below.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Principal Sessions Judge, Chennai.
2. The Inspector of Police,
Kodungaiyur Police Station,
Chennai-118.
3. The Public Prosecutor,
High Court, Madras.

सत्यमेव जयते

CRL.O.P.No.6641 of 2021

SSD(CO)
CS/07/05/2021

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