

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2021

CORAM

THE HONOURABLE MRS. JUSTICE S.KANNAMMAL

Crl.M.P.No.7611 of 2021

in Crl.O.P.No.8798 of 2021

Vallarasu
S/o.Sivakumar

... Petitioner

Vs.

State by
The Inspector of Police,
Keezhapaluvur Police Station, Ariyalur District.
(Crime No.170 of 2021)

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 482 Cr.P.C. to modify one of the condition to deposit a sum of Rs.45,000/- (Rupees Forty Five Thousand Only) as non refundable deposit to the credit of the Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c.No.10273425961, State Bank of India, Park Town, Chennai-68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856, in the order passed in Crl.O.P.No.8798 of 2021 by the order dated 12.05.2021.

For petitioner

: Mr.R. Gokulakrishnan

For Respondent

: N.S.Suganthan

Additional Public Prosecutor

ORDER

(The case has been heard through video conference)

This petition has been filed, seeking to modify the condition to deposit a sum of Rs.45,000/- (Rupees Forty Five Thousand Only) as non refundable deposit to the credit of the Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c.No.10273425961, State Bank of India, Park Town, Chennai-68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856, in the order passed in Crl.O.P.No.8798 of 2021 by the order dated 12.05.2021.

2.The learned counsel appearing for the petitioner would submit that the petitioner was granted anticipatory bail by this Court in Crl.O.P.No.8798 of 2021 dated 12.05.2021, with a condition that the petitioner shall deposit a sum of Rs.45,000/- (Rupees Forty Five Thousand Only) as non-refundable deposit either through RTGS/NEFT or in cash in favour of the Dean, Rajiv Gandhi Government General Hospital, Chennai, bearing A/c.No.10273425961, State Bank of India, Park Town (Chennai), 68, Evening Bazaar Road, Chennai, IFSC:SBIN0001856. Due to the financial condition, the petitioner was unable to mobilize funds and thereby, he failed to comply with the said condition. Hence the present modification petition has been filed before this Court.

3. The learned Additional Public Prosecutor has seriously objected to allow this petition.

4. Considering the facts and circumstances and also the fact that the case against the petitioner is that the petitioner has involved in the theft of sand about three units and a case was registered under Section 379 of IPC r/w.21(1)(a)(b) Mines and Minerals (Development and Regulation) Act 1957, this Court is of the opinion that these type of cases are impacting large magnitude and the petitioner is misusing the discretionary power of this Court and continues with the offences affecting the environment and ecology. Therefore, this Court is not convinced with the reason mentioned by the petitioner to modify the order.

6. Accordingly, this Criminal Miscellaneous Petition is dismissed.

gbi

Internet : Yes/No

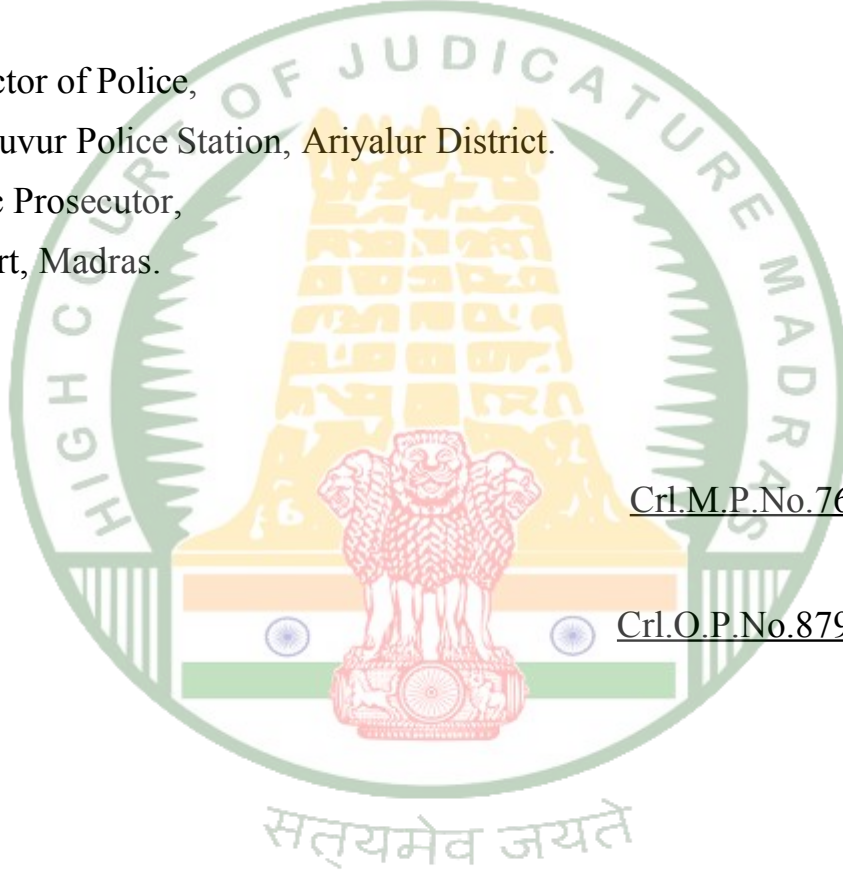
23.08.2021

S.KANNAMMAL, J.

gbi

To

- 1.The Inspector of Police,
Keezhapaluvur Police Station, Ariyalur District.
- 2.The Public Prosecutor,
High Court, Madras.



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in

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