



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Crl.O.P.No.14308 of 2021

Sampathkumar @ Sampath

.. Petitioner

Vs.

The State rep.by
The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
(Cr.No.174/2014)

..Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition imposed in Crl.M.P.No.2570 of 2021 dated 18.06.2021 on the file of the learned Principal District and Sessions Judge, Tiruvallur to the extent that instead of producing the property documents worth about Rs.10,00,000/- before the Magistrate, the petitioner is ready and willing to produce the document worth about Rs.1,00,000/-.

For Petitioner : Mr.K.Shivakumar

For Respondent : Mr.C.E.Pratap
Government Advocate (Crl.Side)

O R D E R

This Petition has been filed to modify the condition imposed in Crl.M.P.No.2570 of 2021 dated 18.06.2021.

2. The petitioner was implicated for the offence under Sections 406 & 420 IPC for the committal of offence that he is alleged to have bought lorry from the defacto complainant and not paid the total sale consideration. Hence the defacto complainant lodged a police complaint. Thereafter, the petitioner has filed petition seeking bail, before the Sessions Court in Crl.M.P.No.2570 of 2021. The Trial Court, while granting bail, imposed a condition to produce the property documents worth about Rs.10,00,000/-. Challenging the said condition, the present petition has been filed.

3. The learned counsel appearing for the petitioner submitted that the said condition imposed by the Trial Court is an onerous one, since the petitioner could not produce the documents worth about Rs.10,00,000/- and hence prays for modification of the said condition.



4. Considering the facts and circumstances of the case that the amount involved is huge in nature, the condition imposed by the Trial Court is just and reasonable. Hence, I am not inclined to modify the order passed by the Trial Court.

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5. This Criminal Original Petition is dismissed accordingly.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

1. The Inspector of Police,
Periyapalayam Police Station,
Tiruvallur District.
2. The Principal District and Sessions Judge,
Tiruvallur
3. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.14308 of 2021

SMI(CO)
B.VC (28/09/2021)