



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Fifteenth day of September Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.9008 of 2021

IN CRL OP.13842/2016

N.KARPAGAM

[PETITIONER]

Vs

THE INSPECTOR OF POLICE
CHEYYUR POLICE STATION,
CHEYYUR
KANCHEEPURAM DISTRICT
(CRIME NO.67/2016)

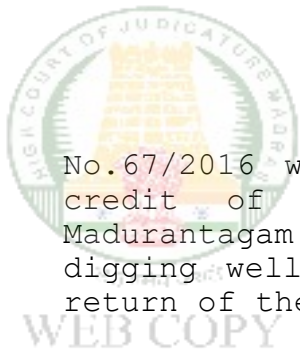
[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to direct the learned Judicial Magistrate, Madurantagam to return back the surety deposit Rs.25000/- to the petitioner Deposited into the credit of Crime No.67/2016 or pass an order suitably in favour of the petitioner and render justice

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.P.R.S.THAMIZHMARAN, Advocate for the petitioner and of M/S. A.GOPINATH, Govt. Advocate (Crl. Side) on behalf of the Respondents the court made the following order:-

This Miscellaneous Petition has been filed under section 482 of Cr.P.C to direct the Learned Judicial Magistrate, Madurantagam to return back the surety deposit of Rs.25,000/- to the petitioner, deposited into the credit of Crime No.67 of 2016 in Crl.O.P.No.13842 of 2016 dated 01.07.2016 or pass an order suitably in favour of the petitioner.

2.The case of the prosecution is that the petitioner is the wife of the Late M.Narayanasamy who is arrayed as accused A3 in Crl.O.P.No.13842 of 2016 dated 01.07.2016 against whom the case was registered by the respondent police for alleged offences under section 174 altered into 302 of IPC in Crime no 67/2016. The said A3 was granted bail in Crl.O.P.No.13842 of 2016 dated 01.07.2016 in Crime



No.67/2016 with condition that he should deposit Rs.25,000/-to the credit of Crime no 67/2016 before the Judicial Magistrate, Madurantagam. After deposit of the amount A3 died on 12.06.2017 while digging well. Hence, the present petition has been filed for the return of the deposited amount.

3.The learned counsel appearing for the petitioner submitted that the petitioner lost both her husband and her younger daughter and finds it difficult to even run her daily life. Hence, he prays to return back the amount Rs.25,000/- deposited to the credit of Crime no.67/2016.

4.The learned Government Advocate (Crl.Side) submitted that the trial is pending in this case. Hence, he strongly opposed to return back the amount Rs.25,000/- deposited to the credit of Crime no.67/2016.

5. Considering the facts and circumstances of the case, since the trial is not completed, the return of the said amount may cause serious loss to the de-facto complainant. Accordingly, this petition filed for the return of the amount Rs.25,000/- deposited to the credit of Crime no.67/2016. is dismissed.

-sd/-

15/09/2021

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
MADURANTHAKAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE INSPECTOR OF POLICE
CHEYYUR POLICE STATION, CHEYYUR,
KANCHEEPURAM DISTRICT



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.P.R.S.THAMIZHMARAN Advocate on payment of
necessary charges SR.No.10155

Order

in
CRL MP.9008/2021

in
CRL OP.13842/2016

Date :15/09/2021

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copies of the BAIL/Anti.BAIL Orders in this format

APN 06/10/2021