

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 07.01.2021

CORAM :

THE HON'BLE MR. JUSTICE V.BHARATHIDASAN

Crl.O.P.No.16293 of 2020

S.Ravi,
S/o. P.V.Saravanan,
No.32/69, Nar Saiyyar Station,
Old Washermanpet,
Chennai-600 021.

... Petitioner

Vs.

1. State of Tamil Nadu,
rep. by Inspector of Police,
H1, Old Washermenpet Police Station,
Chennai-600 021.

2. Gulam Mohammed,
S/o. Ragamathulla,
T.H.Road, Old Washermanpet,
Chennai-600 021.

3. Shanmugaraj,
S/o. Deenadayalan,
No.73A, Perambalu Chetty Street,
Old Washermanpet,
Chennai-600 021.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 43(1)(b) of Criminal Procedure Code praying to modify interim bail condition imposed in Crl.M.P. No.9063 of 2020 on the file of Principal Sessions Judge, Chennai dated 18.09.2020 confirming the order passed in Crl.M.P. No.2483 of 2020 on the file of the XV Metropolitan Magistrate, George Town, Chennai dated 07.09.2020 in so far as the interim bail condition to deposit a further sum of Rs.5,00,000/- within one week from the date of release on interim bail in Crime No.4881 of 2020 on the file of 1st respondent is concerned.

For Petitioner : Mr.C.K.M.Appaji

For Respondents : Mr.S. Karthikeyan
Addl. Public Prosecutor for R1

Mr.V.Premkumar for R2

Mr. S. Sriramulu for R3

ORDER

(The case has been heard through video conference)

Earlier, this Court has granted interim bail with a condition directing the petitioner to deposit a sum of Rs.2,00,000/- and to execute sureties for a sum of Rs.50,000/- and after granting bail, he was further directed to pay another sum of Rs.5,00,000/-. Now, to modify the above condition, the present petition has been filed.

2. The learned counsel appearing for petitioner would submit that in pursuant to the order passed by this Court, he has deposited a sum of Rs.2,00,000/- and came out on bail on execution of sufficient sureties and he is not in a position to deposit another sum of Rs.5,00,000/-. He would further submit that already there is a dispute between the landlord and tenant and the landlord has filed a civil suit for recovery of amount and the suit is pending. That apart, the petitioner has already paid a sum of Rs.13,00,000/- to the defacto complainant.

3. Per contra, the learned counsel appearing for 2nd respondent would submit that so far, he has not received any amount except a sum of Rs.2,00,000/- deposited in the court below and in the civil suit also, the petitioner has not filed any written statement.

4. Taking into consideration of the fact that there is a money dispute and the Trial Court after considering the materials, had passed an elaborate order directing the petitioner to deposit a sum of Rs.5,00,000/-, I am not inclined to interfere with the order. However, the petitioner is

directed to deposit a sum of Rs.5,00,000/- on or before 08.03.2021.

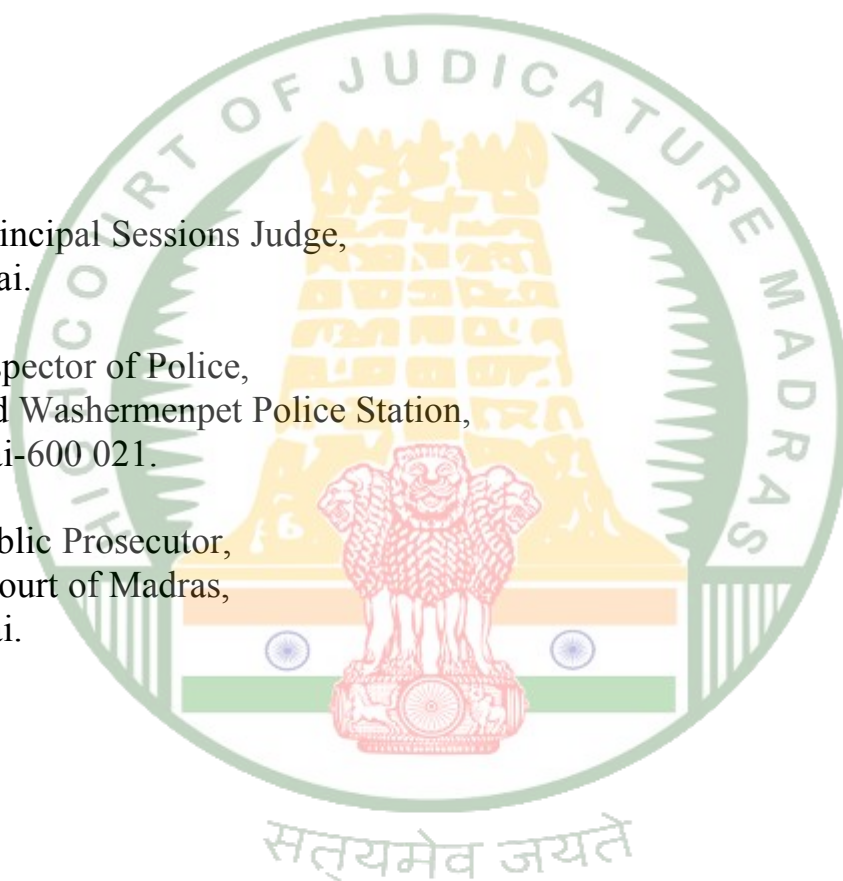
Accordingly, the condition is modified to that effect.

07.01.2021

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To

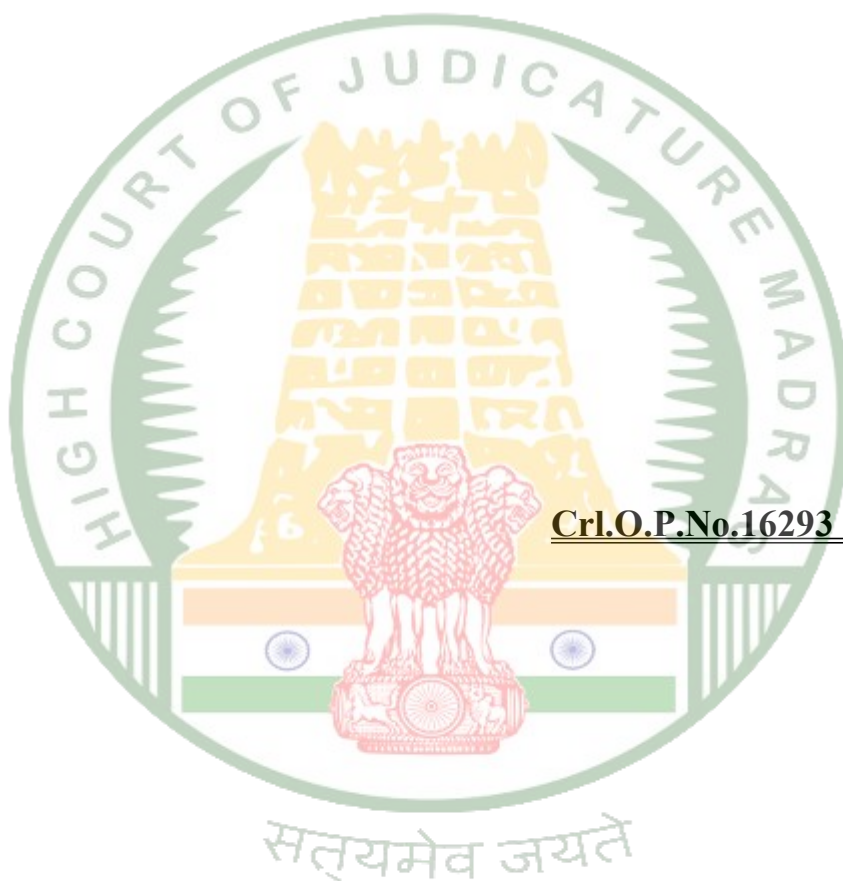
1. The Principal Sessions Judge,
Chennai.
2. The Inspector of Police,
H1, Old Washermenpet Police Station,
Chennai-600 021.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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V.BHARATHIDASAN , J.

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