



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Fifth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.10151 of 2021

IN CRL OP.13053 of 2021

K.CHANDRAN

[PETITIONER / ACCUSED]

Vs

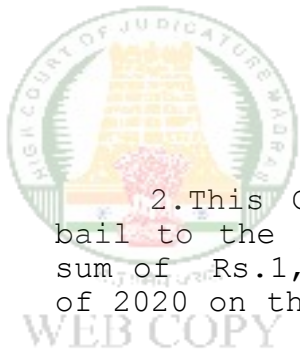
STATE REP BY
THE INSPECTOR OF POLICE,
CCIW, TIRUVANNAMALAI DISTRICT
CRIME NO.2 OF 2020

[RESPONDENT / COMPLAINANT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Modify the condition (b) the petitioner shall make a deposit of Rs.1,00,000/- (Rupees One Lakhs Only) to the Credit of Cr.No.2 of 2020 on the file of the respondent police without prejudice to his defence before the trial Court and on such deposit being made the concerned Magistrate after obtaining undertaking from the Thachampattu Primary Agricultural Cooperative Society that if the petitioner succeeds in the case the said amount would be refunded back to him shall disburse the amount to the Thachampattu Primary Agricultural Cooperative Society. the Concerned Magistrate shall accept the sureties furnished by the petitioner on such deposit being made and proof filed by the petitioner in Crl.O.P.No.13053 of 2021 order dated 03.08.2021.

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 V.JAYAPRAKASH NARAYANAN, Advocate for the Petitioner and of MR.A.GOPINATH, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This petition is filed to modify the condition imposed on the petitioner by this Court in Crl.O.P.No.13053 of 2021, dated 03.08.2021.



2. This Court vide order dated 03.08.2021, granted anticipatory bail to the petitioner on condition that the petitioner shall pay a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the credit of Cr.No.2 of 2020 on the file of the respondent police.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is unable to comply the condition in clause (b) of para 6 in order dated 03.08.2021. Hence, the present modification petition is filed by the petitioner to modify the conditions imposed on the petitioner terming the same to be onerous.

4. This Court had granted anticipatory bail to the petitioner, as the petitioner on his own volition was ready to deposit the above said amount to the credit of the Cr.No.2 of 2020. Therefore, the petitioner cannot now claim that the said condition is onerous and seeking modification of the above condition is impermissible. Hence, the present petition seeking modification stands dismissed.

-sd/-
05/10/2021

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,
NO.II, TIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVANNAMALAI [FOR INFORMATION].

3 THE INSPECTOR OF POLICE,
CCIW, TIRUVANNAMALAI DISTRICT

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



+1 C.C. to M/S V.JAYAPRAKASH NARAYANAN Advocate on payment of
necessary charges SR.NO.11200

WEB COPY

Order

in
CRL MP.10151/2021

in
CRL OP.13053/2021

Date :05/10/2021

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

JPA 13/10/2021