



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fifteenth day of February Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.128 of 2021

IN

CRL OP(MD) No.11762 of 2020

1 P.JEGANATHAN
2 A.R.SELVARAJ
3 ANITHA

... PETITIONERS/PETITIONERS

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING CID,
(CCIW-CID), TRICHY.
CRIME No. 2/2020.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant an order of extension of time and modify the condition in Para No. 8 (ii) in the order made in Crl. O. P. (MD) No. 11762/2020 dated 03.11.2020 on the file of this Honourable Court.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.T.VADIVELAN, Advocate for the petitioners and of Mr.K.SUYAMBULINGA BHARATHI, Government Advocate(Crl. Side) on behalf of the Respondent, the Court made the following order:-

The contention of the petitioners is that the second petitioner had moved an anticipatory application along with Accused Nos.15 and 20 in Crl.O.P(MD) No.11762 of 2020. This Court while granting anticipatory bail had directed the petitioners 1 and 3/Accused Nos.15 and 20 to deposit a title deed stands in his name or in his relative's name or in his friend's name worth about Rs.50 Lakhs along with property valuation certificate from the Authorities competent, before the concerned Court. As regards the second petitioner/ Accused No.19, he was directed to deposit a title deed stands in his name or in his relative's name or in his friend's name worth about Rs.One Crore along with property valuation certificate from the Authorities competent, before the concerned Court.



2.The learned counsel for the petitioners would submit that the second petitioner/A-19 is also a former Executive committee member of the Society and due to the above condition, the second petitioner is unable to execute the sureties, since it is an onerous condition and it is in disparity with other co-accused, who are similarly placed. To substantiate the same, he had also produced Section 81 enquiry report.

3.From the report, it is seen that the second petitioner/A-19 is an Executive Committee member of the Society and the other two petitioners, who have been similarly placed persons, granted anticipatory bail with the condition to deposit title deed worth about Rs.50 Lakhs, though the petitioner is an executive committee member and the nature of the allegation is similar, he was directed to deposit a title deed worth about Rs.One Crore.

4.In view of the same, this Court is inclined to modify the condition to the extend that the second petitioner/A-19 shall deposit a title deed stands in his name or in his relative's name or in his friends' name worth about Rs.50 Lakhs along with property valuation certificate from the Authorities competent, before the concerned Court, within a period of two weeks from the date of receipt of a copy of this order, failing which the anticipatory bail already granted by this Court shall stand cancelled. It is made clear that no further extension will be granted. If the petitioner is not complied with the order within the stipulated period, the respondent police shall secure the petitioner. All other conditions in the said order shall remain unaltered. Accordingly, this petition is ordered.

sd/-
15/02/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE JUDICIAL MAGISTRATE,
MUSIRI, TRICHY DISTRICT.
2. DO-THROUGH : THE CHIEF JUDICIAL MAGISTRATE,
TRICHY DISTRICT.
3. THE INSPECTOR OF POLICE,
COMMERCIAL CRIME INVESTIGATION WING. CID,
(CCIW-CID), TRICHY.



4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CRL MP (MD) No.128 of 2021
IN
CRL OP (MD) No.11762 of 2020
Date :15/02/2021

cp
AE/JC/SAR-IV (23/02/2021) 3P / 5C