



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

Date : 11/02/2021

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR
CRL OP(MD). No.2073 of 2021

WEB COPY

Rabeek,
S/o.Farook,
Manivilan, Aranthangi,
Pudukottai District..

... Petitioner/Accused

Vs

The Inspector of Police,
Aranthangi Police Station,
Pudukottai District,
Cr No.1683/2020.

... Respondent/Complainant

For Petitioner : Mr.Gokul.K,

For Respondent : Mr.K.Suyambulinga Bharathi,
Government Advocate (Crl.Side)

Petition for modification under Section 439(i)(b) r/w.482 of
Cr.P.C

PRAYER :-To Modify tthe conditional order passed by the Learned
Principal District and Sessions Judge, Pudukottai in Cr.M.P. No.05
of 2021, dated 05/01/2021

ORDER : The Court made the following order :-

This petition has been filed to modify the condition imposed by
the learned Principal District and Sessions Judge, Pudukottai in
Cr.M.P. No.05 of 2021, dated 05/01/2021.

2. The learned counsel for the petitioner would submit that the
petitioner in this case was arrested on 22.12.2020 for the illegal
transportation of ½ unit of river sand. The petitioner was granted
bail by the learned Principal District and Sessions Judge,
Pudukottai on 05.01.2020 with a condition that the petitioner shall
deposit a sum of Rs.25,000/- in favour of the District Legal Service
Authority, Pudukottai. He would further submit that the petitioner
is only daily wager and he is unable to mobilize the said amount.
In view of the same, he is in judicial custody despite he was
granted bail on 05.01.2021.

3. The learned Government Advocate(Crl.Side) would submit that
<https://hdsrscourt.gov.in/services> accused in this case and the petitioner is the driver



of the vehicle and the owner of the vehicle is still absconding. He would further submit that from the said vehicle ½ of sand has been seized.

4. Taking into consideration the submission made by the learned counsel for the petitioner, the condition imposed by the learned Principal District and Sessions Judge, Pudukottai on 05.01.2020 directing the petitioner to deposit a sum of Rs.25,000/- in favour of the District Legal Service Authority, Pudukottai is modified to the effect that the petitioner shall draw a demand draft in favour of Dean, Pudukkottai Medical College Hospital for a sum of **Rs.5,000/- (Rupees Five Thousand only)** without prejudice to his rights and contentions before the trial Court and the petitioner shall produce the proof of remittance /submission of Demand Draft to Magistrate while executing sureties. On production the same, the learned Magistrate shall accept the sureties produced by the petitioner. All other conditions imposed in the earlier order shall remain unaltered.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

AAV

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. The Principal District and Sessions Judge, Pudukottai
2. The Superintendent, District Jail, Pudukottai
3. The Inspector of Police, Aranthangi Police Station,
Pudukottai District,
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
5. The Dean , Pudukottai Medical College, Pudukottai.

ORDER

IN

CRL OP(MD) No.2073 of 2021

Date : 11/02/2021

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<https://hcservices1.ecourts.gov.in/hcservices/6C>