



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

Date : 07/06/2021

PRESENT

The Hon`ble Mr.Justice A.A.NAAKIIRAN

CRL OP(MD). No.7326 of 2021

Udhayashankar

... Petitioner

Vs

The State Rep. by
The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
Cr.No.184 of 2021.

... Respondent

PRAYER: This Criminal Original Petition is filed under Section 482 read with 439(1) (b) of the Code of Criminal Procedure, to modify the condition in the order, dated 06.05.2021 made in Crl.M.P.No.19 of 2021 on the file of the Principal District and Sessions Judge, Ramanathapuram insofar as imposing the condition to pay the sum of Rs.50,000/- as onerous.

For Petitioner

: Mr.J.Vishnu

For Respondent

: Mr.M.Muthu Manikkam

Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed by the Principal District and Sessions Judge, Ramanathapuram in Crl.M.P.No.19 of 2021 dated 06.05.2021 regarding deposit of amount to the credit of Crime No.184 of 2021.

2.The learned counsel for the petitioner would submit that the petitioner had broken the four wheeler, which was stationed in front of the de-facto complainant's father-in-law's house. Therefore, a case was registered. In Crl.M.P.No.19 of 2021, the learned Principal District and Sessions Judge, Ramanathapuram, has directed the petitioner to pay a cost of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.184 of 2021 on the file of the learned Judicial Magistrate No.I, Ramanathapuram, without prejudice to his rights and contentions before the trial Court. To modify this condition, the present petition has been filed.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

4.Considering the facts set out in the modification petition, this Court is inclined to modify the condition imposed in Crl.M.P.No.19 of 2021, dated 06.05.2021 to the following effect:



"The petitioner shall deposit a sum of Rs.3,000/- **(Rupees Three Thousand only) to the credit of Government of Tamil Nadu, CMPRF in IOB, Secretariat Branch, Chennai-9** (Account No.11720 10000 00070, IFSC Code: IOBA0001172), within a week without prejudice to his rights and contentions before the trial Court."

5. In all other aspects, the order passed in Crl.M.P.No.19 of 2021 dated 06.05.2021 shall stand unaltered.

6. With the above modification, this Criminal Original Petition is allowed accordingly.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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, Ramanathapuram.
2. The Inspector of Police,
Bazaar Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy to

The Officer In-Charge
Chief Minister Public Relief Fund,
Government of Tamil Nadu,
Secretariat,
Chennai-9

CRL OP(MD) No.7326 of 2021
Date : 07.06.2021

PK (CO)
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