



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

Tuesday, the Twenty Ninth day of June Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

CRL MP(MD) No.3902 of 2021

IN

CRL OP(MD) No.21072 of 2018

1 S.SRIDHAR

2 RAMASUBRAMANIAN @ RAVI

... PETITIONERS/PETITIONERS/
ACCUSED NO.1 & 2

Vs

STATE REP.BY

1 THE ASSISTANT COMMISSIONER OF POLICE,
CITY CRIME BRANCH, TRICHY CITY,
TRICHY.

2 THE INSPECTOR OF POLICE,
CITY CRIME BRANCH,
TRICHY CITY.
CRIME NO.47 OF 2018.

... RESPONDENTS/RESPONDENTS/
COMPLAINANT

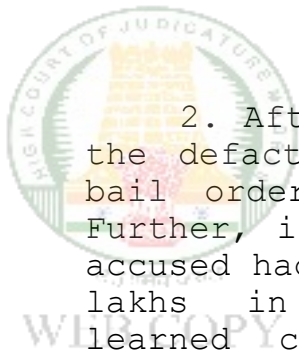
3 SANKARALINGAM

... 3rd RESPONDENT/DEFACTO COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition imposed in Crl.OP.(MD).No.21072 of 2018 dated 14.2.2019, in respect of furnishing the bank guarantee for a sum of Rs.75,00,000/- in Cr.No.47 of 2018 by the petitioners before the Learned Judicial Magistrate No.II, Trichy and also permit the petitioner to withdraw the amount of Rs.75,00,000/-.

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.JEYAKUMARAN.J, Advocate for the petitioner and of Mr.M.MUTHUMANIKKAM, Government Advocate (Crl. Side) on behalf of the Respondents 1 & 2, the court made the following order:-

This petition is filed to modify the condition imposed by this Court in Crl.O.P(MD) No.21072 of 2018 dated 14.02.2019 in respect of furnishing bank guarantee for a sum of Rs.75 lakhs in Crime No.47 of 2018 by the petitioners before the learned Judicial Magistrate No.II, Trichy and also permit the petitioners to withdraw the amount



2. After noting the involvement of the petitioners in cheating the defacto complainant to the tune of Rs.3 Crores, anticipatory bail order came to be passed in Crl.O.P(MD) No.21072 of 2018. Further, it is seen from the order that the petitioner and another accused had come forward to give a bank guarantee for a sum of Rs.75 lakhs in Crime No.47 of 2018. In view of the offer made by the learned counsel for the petitioners this Court has granted anticipatory bail. Subsequently the petitioner and another accused filed Crl.M.P (MD) No.1836 of 2020 seeking permission of this Court to modify the condition imposed in Crl.O.P(MD) No.21072 of 2018 and permit them to withdraw the amount of Rs.75 lakhs and the same was dismissed by this Court on 02.03.2020. Again the petitioner has filed the present petition to withdraw the said amount.

3. The petitioners and another accused were directed to furnish bank guarantee of Rs.75 lakhs by the offer given by themselves and that is the main reason for considering the anticipatory bail. The request for return for said amount was not considered and the same was dismissed by this Court in Crl.M.P(MD) No.1836 of 2020 on 02.03.2020.

4. This Court has no reason to deviate from both the orders passed by this Court in Crl.O.P(MD) No.21072 of 2018 and Crl.M.P(MD) No.1836 of 2020. Earlier orders were passed after considering the nature of the case, involvement of the accused and other relevant factors. Therefore this Court is not inclined to modify the condition and permit the petitioners to withdraw the said amount.

5. In the result, the petition stands dismissed.

sd/-
29/06/2021

/ TRUE COPY /

/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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 JUDICIAL MAGISTRATE NO.I, TRICHY.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,

<https://hcservices.ecourts.gov.in/hcservices/>



3 THE ASSISTANT COMMISSIONER OF POLICE,
CITY CRIME BRANCH, TRICHY CITY, TRICHY

4 THE INSPECTOR OF POLICE
CITY CRIME BRANCH, TRICHY CITY.

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

ORDER
IN
CRL MP (MD) No.3902 of 2021
IN
CRL OP (MD) No.21072 of 2018
Date :29/06/2021

aav
JM/PN/SAR III/01.07.2021/3P/6C