



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

Date : 16/07/2021

PRESENT

The Hon`ble Mr.Justice G.CHANDRASEKHARAN

WEB COPY

CRL OP(MD) . No.9473 of 2021

Srinivas Thangathurai,

... Petitioner

Vs

The Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District
Cr No. 92/2021..

... Respondent/Complainant

For Petitioner : M/s.Rajiv Rufus.V.,
Advocate.

For Respondent : Mr.M.Muthumanikkam,
Government Advocate (Crl.Side)

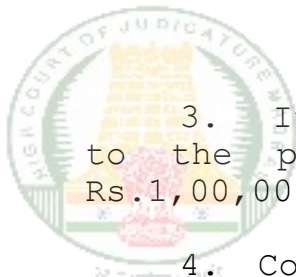
PRAYER :-

Criminal Original Petition is filed under section 439(1)(b) of Cr.P.C to Modify the condition imposed on the Petitioner by the order dated 24.06.2021 Passed by the Learned Principal Sessions Court Thoothukudi in Crl. m. P No. 2331/2021 as the depositing cash security to be Rs. 5,000/- (Rupees five thousand) instead of Rs.1,00,000/- (Rupees one lakh only)

ORDER : The Court made the following order :-

This petition has been filed to modify the condition imposed by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.2331 of 2021 dated 24.06.2021.

2. The learned counsel for the petitioner would submit that the petitioner was granted anticipatory by the learned Principal Sessions Judge, Thoothukudi in Cr.M.P.No.2331 of 2021 dated 24.06.2021 directing him to deposit a cash security of Rs.1,00,000/- (Rupees one lakh) before the learned Judicial Magistrate, Sathankulam (the amount if deposited shall be kept by the trial Court in Crl.C.c.a/c till the disposal of the case). He would further submit that the petitioner is a small trader in Chennai and he is eking his family with great difficulty due to this Covid-19 pandemic situation, hence he seeks modification of the said condition.



3. It is alleged that the accused in this case caused damage to the property of the defacto complainant and a sum of Rs.1,00,000/- was ordered to be deposited in the Court.

4. Considering the reasons stated by the petitioner, the petitioner is directed to deposit a sum of Rs.50,000/- instead of Rs.1,00,000/- in the Court. The learned trial Judge is directed to pass appropriate orders at the conclusion of trial with regard to the disbursement of the amount.

5. This petition is modified on the above terms.

Sd/-

Assistant Registrar (T&P)

// 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 Inspector of Police,
Thattarmadam Police Station,
Thoothukudi District .

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.RAJIV RUFUS, Advocate (SR-23031[F] dated 19/07/2021)

CRL OP(MD) No.9473 of 2021

Date : 16/07/2021

SSS(CO)

KB(30.07.2021) 2P 4C