



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2021

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

Crl.R.C(MD)No.482 of 2021

Venkatesh @ Venkatesan

... Petitioner/Petitioner

Vs.

The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

(Cr.No.645 of 2021)

...Respondents/Respondent

Prayer : This Criminal Revision is filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the order passed by the Principal Sessions Judge, Thanjavur in Crl.M.P.No.3041 of 2021, dated 20.07.2021 and set aside the same by modifying the condition and allow the above Criminal Revision Petition.

For Petitioner : Mr.K.M.Karunakaran

For Respondent : Mr.RMS.Sethuraman

Counsel for State Government (Crl.side)

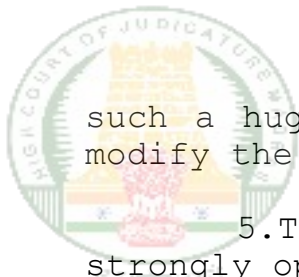
O R D E R

This petition has been filed to modify the condition imposed by the learned Principal Sessions Judge, Thanjavur, in the order passed in Crl.M.P.No.3041 of 2021, dated 20.07.2021.

2.The petitioner herein was arrested in Crime No.645 of 2021 for the offence under Section 4(1)(a) and 4(1-A) of Tamil Nadu Prohibition Act and he was granted bail on 09.07.2021 by the learned Principal Sessions Judge, Thanjavur on condition that the petitioner deposits a sum of Rs.30,000/- as non-refundable amount, to the credit of 'Government of Tamil Nadu Chief Minister's Public Relief Fund'. Subsequently, the petitioner has approached the learned Principal Sessions Judge, Thanjavur, by way of filing a petition in Crl.M.P.No.3041 of 2021 to modify the said condition. However, the learned Judge, by order dated 20.07.2021 has dismissed the same. Challenging the said order, the petitioner is before this Court with this petition.

3.Heard the learned counsel appearing on either side and perused the materials available on record.

4.The learned counsel appearing for the petitioner submitted that the learned Principal Sessions Judge, Thanjavur committed error in imposing condition of non-refundable deposit of Rs.30,000/- and the condition imposed by the learned Judge is onerous. He further submitted that the petitioner is poor man and he could not mobilize



such a huge fund to comply with the condition. Hence, he prays to modify the said condition.

5.The learned counsel for State Government (Crl.side) has strongly opposed to allow this petition.

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6.However, considering the facts and circumstances of the case and also considering the present living condition of the petitioner, this Court is inclined to modify the said condition imposed by the learned Principal Sessions Judge, Thanjavur to the effect that the petitioner shall deposit a sum of Rs.15,000/-, instead of Rs.30,000/- as non-refundable, to the credit of 'Government of Tamil Nadu Chief Minister's Public Relief Fund', within a period of two weeks from today, failing which, the order of the trial court shall stands confirmed.

7.Accordingly, this Criminal Revision Case is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsd

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 Sessions Judge,
Thanjavur.

2.The Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

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

Crl.R.C (MD) No.482 of 2021
28.07.2021

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