



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN, J.**

Crl.O.P.(MD)No.13295 of 2021

M.Induleka

... Petitioner

Vs.

State represented through

1. The Inspector of Police,
CCB Police Station, Madurai,
Madurai District.
Crime No.61/2020.

2. Rathika

3. Kabil

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the return order made in docket dated 28.07.2021 in Crl.M.P.No.Sr.2639 of 2021 by Judicial Magistrate No.1, Madurai and direct to number the same.

For Petitioner : Mr.M.Gnanagurunathan

For R1 : Mr.R.M.Anbunithi

Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to set aside the return order made in docket dated 28.07.2021 in Crl.M.P.No.SR.No.2639 of 2021 by Judicial Magistrate No.1, Madurai and direct to number the same.

2. The learned Additional Public Prosecutor would submit that the case in Crime No.61 of 2020, was registered for the offences under Sections 420 & 506(ii) by the first respondent police. The second and third respondents (A1 & A2) filed bail application in Crl.MP.No.5943 of 2020 and Crl.MP.No.5703 of 2021 respectively, before the Principal Sessions Court, Madurai. The learned Principal Sessions Judge, Madurai had passed common order dated 16.12.2020, by which, both the accused persons were released with condition to deposit a cash security of Rs.3,00,000/- (Second respondent herein) before the Judicial Magistrate No-I, Madurai and to deposit a cash security of Rs.1,00,000/- (Third respondent herein) before the Judicial Magistrate-I, Madurai. With respect to the above, the petitioner has filed this petition seeking return of



3. It is seen that it is only a security amount, which has been deposited as cash security, if at all, the petitioner is entitled for the return of the above said amount, he can only approach the concerned court for the appropriate relief.

4. For the reasons stated above, liberty is granted to the petitioner to work out his remedy before the concerned through appropriate Court.

5. With the above observations, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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,
CCB Police Station, Madurai,
Madurai District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.GNANAGURUNATHAN, Advocate (SR-28744[F] dated 09/09/2021)

Crl.O.P. (MD) No.13295 of 2021
09.09.2021

MGJ(03.12.2021) 2P 4C