



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

Friday, the Twelfth day of November Two Thousand and Twenty One

PRESENT

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.8999 of 2021
in
Crl.A.(MD) No.238 of 2021

VALARMATHI

... PETITIONER/ APPELLANT

Vs

STATE REP.BY
THE INSPECTOR OR POLICE,
ECONOMIC OFFENCES WING,
MADURAI.
(CRIME NO.4/2017)

... RESPONDENT/ RESPONDENT

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 on the petitioner/appellant by this Hon'ble Court in Crl.M.P.(MD) No.6547 of 2021 in Crl.A.(MD)No.238 of 2021 dated.03.09.2021.

PRAYER IN Crl.A(MD)No.238 of 2021:

To set aside the judgment and Conviction dated 22.04.2021 by the learned Special Judge, Special Court of TNPID Act Cases, Madurai in Calendar Case No.11 of 2019 and acquit the Appellant.

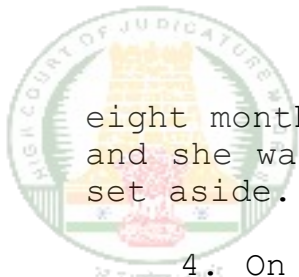
Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.N.RANJITH, Advocate for the petitioner and of Mr.K.SANJAY GANDHI, Government Advocate for the Respondent, the court made the following order:-

This petition has been filed to modify the condition imposed by this Court in Crl.M.P.(MD)No.6547 of 2021 in Crl.A.(MD)No.238 of 2021 dated 03.09.2021.

2.On the side of the petitioner, it is stated that the petitioner is a poor lady and she is not in a position to deposit Rs.5,00,000/- as directed by the Court.

3. On the side of the petitioner, it is further stated that the petitioner is an insolvent, she is already in custody for the past

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eight months. She is only a Tailor, having two children to maintain and she was cheated by somebody else and prayed the condition to be set aside.

4. On the side of the prosecution, it is stated that the money involved in the offence is Rs.16,73,600/- and the condition imposed by this Court is reasonable. Insolvency petition was filed by the petitioner only recently and prayed the petition to be dismissed.

5. It is seen that the money involved in the offence is Rs.16,73,600/-. Considering the period of incarceration, this Court is inclined to modify the condition No.(ii) to the effect that the petitioner is directed to deposit 25% of the amount involved in the offence (ie.Rs.4,18,400/-), within a period of one month from the date of receipt of a copy of this order. Failing which, the suspension of sentence already granted shall stand automatically dismissed.

6. With the above modification, this Petition is allowed.

sd/-
12/11/2021

/ TRUE COPY /

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

TO

1. THE SPECIAL JUDGE
SPECIAL COURT FOR TNPID ACT CASES, MADURAI.
2. THE OFFICER INCHARGE
SPECIAL PRISON FOR WOMEN, MADURAI.
3. THE INSPECTOR OF POLICE
ECONOMIC OFFENCES WING,
MADURAI
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI

**ORDER
IN**

CRL MP(MD) No.8999 of 2021 in
Cr1.A.(MD) No.238 of 2021
Date :12/11/2021

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SA/PN/SAR.1/22.11.2021/2P/5C