



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

Monday, the Fourth day of January Two Thousand and Twenty One

PRESENT

The Hon`ble Mr.Justice M.NIRMAL KUMAR

CRL MP(MD) No.7914 of 2020

IN

CRL OP(MD) No.10633 of 2020

1 PANDIYAMMAL

2 GANAPATHI

... PETITIONERS/PETITIONERS

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
DCB, MADURAI,
MADURAI DISTRICT.
(CRIME NO.37 OF 2019)

... RESPONDENT/RESPONDENT

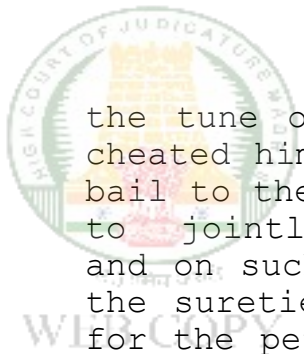
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the condition of deposit the amount of Rs.2,00,000/- to the Judicial Magistrate Court No.II, Usilampatty, Madurai District instead of depositing to the Defacto-Complainant in Crl.O.P.(MD) No.10633 of 2020 in Crime No.37 of 2019 dated 13.10.2020.

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.THAMBIDURAI.P, Advocate for the petitioner and of Mr.M.V.CHANDRASEKARAN, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This petition has been filed to modify the condition of depositing the amount of Rs.2,00,000/- to the file of the learned Judicial Magistrate No.II, Usilampatti, Madurai District instead of depositing to the defacto complainant as per the order passed by this Court in Crl.O.P(MD) No. 10633 of 2020.

2. This Court by an order dated 13.10.2020 granted anticipatory bail to the petitioners who are arrayed as A1 and A2 in Crime No. 37 of 2019 for the offence under Sections 120(b), 420,406 and 506(i) of IPC.

3. The case of the prosecution is that the defacto complainant one Kaluvan, S/o.Seeni of Usilampatti Taluk, Madurai District has charged the petitioners herein that the petitioners herein have cheated him to



the tune of Rs.7 lakhs on promise of getting job and thereafter cheated him. This Court considering the same granted anticipatory bail to the petitioners with a condition directing the petitioners to jointly pay a sum of Rs.2,00,000/- to the defacto complainant and on such deposit being made the learned Magistrate shall accept the sureties furnished by the petitioners. But the learned counsel for the petitioners now submits that they are having fairly a good case and they have some objection in handing over the said amount to the defacto complainant.

4.This Court on merits of the case has granted anticipatory bail to the petitioners specifically directing them to pay a sum of Rs.2,00,000/- to the defacto complainant. Considering the apprehension of the petitioners this Court directs the defacto complainant to file an affidavit before the concerned Court to the effect that the receipt of the said amount received by the defacto complainant is subject to the out come of the case.

It is also made clear that the payment of the said amount shall no way affect the right of the petitioners. Further two weeks time is extended to comply with the conditions.

sd/-
04/01/2021

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

TO

- 1.THE JUDICIAL MAGISTRATE NO.II,
USILAMPATTI.
- 2.DO THRO'THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.
- 3.THE INSPECTOR OF POLICE,
DCB, MADURAI, MADURAI DISTRICT.
- 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.P.THAMBIDURAI, Advocate (SR-22[I] dated 05/01/2021)

ORDER
IN
CRL MP(MD) No.7914 of 2020
IN
CRL OP(MD) No.10633 of 2020
Date :04/01/2021

aav

<https://hcmvce.org.in/Case/01.2021/2P/6C>