

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.1389 of 2022

R.Subramani,
S/o.Ramanujam @ Ramalingam, ...Petitioner

Versus

State rep by the Inspector of Police,
District Crime Branch,
Vellore, Vellore District.
(Crime No.19 /2021) ... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, pleaded to modify the condition the petitioner surrender before the concerned court within one month on condition the petitioner is directed to deposit a sum of Rs.8,00,000/-" imposed in Cr.M.P.No.5029 of 2021 on the file of Principal Sessions Judge, Vellore, Vellore District dated 23.12.2021.

For Petitioner : M/s.C.Vinodkumar
For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor

ORDER

(The case has been heard through video conferencing)

This petition has been filed to modify the condition the petitioner surrender before the concerned court within one month on condition the petitioner is directed to deposit a sum of Rs.8,00,000/- imposed in Cr.M.P.No.5029 of 2021 on the file of Principal Sessions Judge, Vellore, Vellore District dated 23.12.2021.

2.The petitioner is A3 in Crime No.19 of 2021, investigated by the respondent police, had filed this modification petition. The petitioner earlier approached the learned Principal Sessions Judge, Vellore for anticipatory bail in Cr.M.P.No.5029 of 2021. The learned Principal Sessions Judge, Vellore granted anticipatory bail vide order dated 23.12.2021 and imposed conditions. One of the conditions is that the petitioner was directed to deposit a sum of Rs.8 lakhs to the credit of the crime number. The petitioner is aggrieved with regard to this condition and with regard to other conditions, he is ready to comply. The petitioner further submitted that the co-accused in this case A2 had approached this Court for anticipatory bail in

Cr1.O.P.No.25044 of 2021. This Court vide order dated 23.12.2021 granted anticipatory bail to A2 and in that, apart from the other conditions, A2 was directed to deposit Rs.1 lakh to the credit of crime number and the petitioner may also be imposed with the condition to deposit Rs.1 lakh to the credit of crime number.

3.Learned Public Prosecutor submitted that the defacto complainant is the branch Manager at Union Bank of India and it is alleged in the complaint that A1 being the appraiser of Co-operative Bank, colluded with A2 to A8 had pledged spurious jewels as if original gold, thereby caused huge loss to the bank. He added that A2 in this case granted anticipatory bail by this Court on condition to deposit Rs.1 lakh to the credit of crime number.

4.Finding the fact that A2 in this case has already been granted anticipatory bail by this Court in Cr1.O.P.No.25044 of 2021 dated 23.12.2021, directed to deposit Rs.1 lakh, the petitioner is also abide by the same condition.

5.In view of the above, the order passed in Cr.M.P.No.5029 of 2021 dated 23.12.2021 by the learned Principal Sessions Judge, Vellore is modified. The petitioner is directed to deposit one lakh to the credit of crime number instead of Rs.8 lakhs within a period of 15 days from the date of receipt of a copy of this order or from the resumption of normal functioning of the Court, whichever is earlier. The other conditions imposed in the order dated 23.12.2021 in Cr.M.P.No.5029 of 2021 shall stand unaltered.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

kas

1.The Principal Sessions Judge, Vellore.

2.The Inspector of Police,
District Crime Branch, Vellore, Vellore District.

3.The Public Prosecutor, High Court of Madras.

+1cc to Mr.G.Vinodh Kumar, Advocate SR. No.4403

CRL.O.P.No.1389 of 2022