



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Third day of February Two Thousand Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.875 of 2022

IN CRL OP.7715/2021

VISHNU @ VISHNU RAJ

[PETITIONER / ACCUSED]

Vs

STATE BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
MAMALLAPURAM POLICE STATION,
CHENGALPET DISTRICT.
CRIME NO.136 OF 2021.

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the condition passed by this Hon`ble Court in Crl.OP.No. 7715 of 2021 on 29.04.2021 that the petitioner shall make a non refundable deposit of Rs. 1,00,000/- (Rupees One Lakh Only) through demand draft to the credit of the Chairman / District Collector, District Mineral Foundation Trust of the concerned District, Without prejudice to his defence before the trial Court and the learned Judicial Magistrate, after perusing the challan / receipt, shall accept the sureties furnished by the petitioner and thus render justice.

Order: This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S. M.JAIKUMAR, Advocate for the Petitioner and of MR. S.BALAJI, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This petition is filed to modify the condition imposed on the petitioner by this Court in Crl.O.P.No.7715 of 2021, dated 29.04.2021.

2. This Court vide order dated 29.04.2021, granted anticipatory bail to the petitioner on condition that the petitioner shall make a non refundable deposit of Rs.1,00,000/- (Rupees One Lakh Only) through demand draft to the credit of the Chairman/District Collector, District Mineral Foundation Trust of the concerned District before the Trial Court.



3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner is unable to comply the condition in clause (a) of para 8 in order dated 29.04.2021. Hence, the present modification petition is filed by the petitioner to modify the conditions imposed on the petitioner terming the same to be onerous.

4. This Court had granted anticipatory bail to the petitioner, as the petitioner on his own volition was ready to deposit the above said amount through demand draft to the credit of the Chairman / District Collector, District Mineral Foundation Trust of the concerned District before the Trial Court. Therefore, the petitioner cannot now claim that the said condition is onerous and seeking modification of the above condition is impermissible. Hence, the present petition seeking modification stands dismissed.

-sd/-
03/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE COURT,
THIRUKAZHUKUNDRAM.

2 THE CHIEF JUDICIAL MAGISTRATE,
CHENGALPET DISTRICT (FOR INFORMATION) .

3 THE INSPECTOR OF POLICE,
MAMALLAPURAM POLICE STATION,
CHENGALPET DISTRICT.

4 THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS.



5 THE CHAIRMAN / DISTRICT COLLECTOR,
DISTRICT MINERAL FOUNDATION TRUST,
KANCHEEPURAM.

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+1 C.C. to M/S. M.JAIKUMAR Advocate on payment of necessary
charges SR.NO.1792

Order

in
CRL MP.875/2022

in
CRL OP.7715/2021

Date :03/02/2022

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

INBA~09/02/2022