



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Eighth day of January Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.711 of 2022

IN CRL OP.25258/2021

1 C.KAMAL

[PETITIONERS/ACCUSED]

2 C.KAVITHA

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THIRUVANNAMALAI DISTRICT
(CRIME NO.12/2019)

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the condition imposed by this Hon'ble Court in paragrap 6(a) of the order dated 23/12/2021 passed in Crl.O.P.No.25258/2021 which directs the petitioners to deposit the amount equal to the value of 6818 bags directly to Karur Vysya Bank and Central Bank of India, Arani Branch, and thus render justice.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.B.THIYAGARAJAN, 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 petitioners by this Court in Crl.O.P.No.25258 of 2021 dated 23.12.2021.

2. The petitioners apprehend arrest for the alleged offence under Section 406 and 420 of IPC in Cr.No.12 of 2019 on the file of the respondent police. This Court vide order dated 23.12.2021, granted anticipatory bail to the petitioners on condition that they shall deposit the amount to the value of 6818 bags of paddy directly to Karur Vaisya Bank and Central Bank of India, Arani Branch.



3. Today, when the matter is taken up for hearing, the learned counsel for the petitioners submitted that since this Court has directed the petitioners to deposit the amount to the value of 6818 bags directly to Karur Vaisya Bank and Central Bank of India, Arani Branch, however, the value of 6818 bags of paddy has not been ascertained by the bank till date. Hence, the petitioners are unable to deposit the amount as imposed by this Court. Hence, the learned counsel prays to modify the condition.

4. In view of the backdrop, the earlier condition imposed by this Court is on the basis of the petitioner's instructions. Now, this modification petition has filed on the different ground, which is not permissible. Hence, this petition for modification of the condition imposed by this Court dated 23.12.2021 in Crl.OP.No.25258 of 2021 does not merit acceptance. However, the defacto complainant bank is directed to inform the value of 6818 bags to the petitioner within a period of two weeks from the date of receipt of a copy of this order and the petitioner is directed to deposit the said amount within a period of two weeks thereafter.

5. Hence, this miscellaneous petition is dismissed with the aforesaid direction.

-sd/-
28/01/2022

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,
NO.I, THIRUVANNAMALAI.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVANNAMALAI DISTRICT.[FOR INFORMATION]

3 THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THIRUVANNAMALAI DISTRICT.



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

WEB COPY

+1 C.C. to M/S.B.THIYAGARAJAN Advocate on payment of necessary
charges SR.NO.1403

Order

in
CRL MP.711/2022

in
CRL OP.25258/2021

Date :28/01/2022

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RW 09/02/2022