



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL MISCELLANEOUS PETITION No.1942 of 2022

IN CRL.O.P.No.20141 of 2021

1 P.ASHOK KUMAR
2 P.JOTHI KUMAR

[PETITIONERS / ACCUSED 1 & 2]

Vs

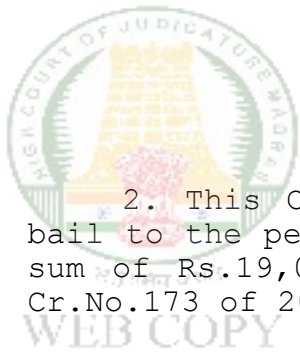
THE INSPECTOR OF POLICE
CCB-1,
CHENNAI-CCB,
CHENNAI
(CRIME NO.173 OF 2021)

[RESPONDENT / COMPLAINANT]

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 in 6(a) i.e the petitioners shall deposit a sum of Rs.19,00,000/- (Rupees Nineteen lakhs only) to the credit of Cr.No.173 of 2021 before the learned Special court for CC and CBCID Cases, Egmore, Chennai within a period of two weeks from the date of receipt of a copy of this order on such deposit being made, the learned Special court for CC and CBCID cases, Egmore, Chennai shall obtain an affidavit of undertaking from the alleged victims stating that in the event of the petitioners succeeding the case, the amount will be returned to the petitioners after obtaining such affidavit of undertaking from the alleged victims, shall disburse the said amount to the alleged victim, proportionately, within a period of two weeks in Crl.O.P.No.20141 of 2021 order dated 01.11.2021.

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.G.BALAJI VENKATESWARAN, Advocate for the Petitioners and of MR.S.UDHYA KUMAR, 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.20141 of 2021, dated 01.11.2021.



2. This Court vide order dated 01.11.2021, granted anticipatory bail to the petitioners on condition that the petitioners shall pay a sum of Rs.19,00,000/- (Rupees Nineteen Lakh Only) to the credit of Cr.No.173 of 2021 on the file of the respondent police.

3. Today, when the matter is taken up for hearing, the learned counsel appearing for the petitioners submitted that the petitioners are unable to comply the condition in clause (a) of para 6 in order dated 01.11.2021. Hence, the present modification petition is filed by the petitioners to modify the conditions imposed on the petitioners terming the same to be onerous.

4. This Court had granted anticipatory bail to the petitioners, as the petitioners on their own volition were ready to deposit the above said amount to the credit of the Cr.No.173 of 2021. Therefore, the petitioners 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/-
18/02/2022

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 SPECIAL COURT
FOR CC & CBCID CASES, EGMORE, CHENNAI.

2 INSPECTOR OF POLICE
CCB-1, CHENNAI-CCB, CHENNAI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.



C.C. to M/S.G.BALAJI VENKATESWARAN Advocate on payment of
necessary charges

WEB COPY

Order
in
CRL MP.1942/2022
in
CRL OP.20141/2021

Date :18/02/2022

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

JPA 24/02/2022