



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Eighteenth day of March Two Thousand Twenty Two

PRESENT

The Hon'ble Mrs Justice T.V.THAMILSELVI

CRIMINAL MISCELLANEOUS PETITION No.1580 of 2022

IN CRL OP.725/2022

MUMMORTHY

[PETITIONER]

Vs

STATE REP BY
THE SUB INSPECTOR OF POLICE,
MECHERI POLICE STATION,
SALEM DISTRICT-636 451.
CR.NO.653 OF 2021.

[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 that para no.6 According the petitioner is directed to deposit a sum of Rs.1,00,000/- to credit of Crime No.653/2021 and on such deposit the petitioner is ordered to be released on bail event of arrest or on his appearance within a period of 15 days after lifting of lockdown or the commencement of the court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.II, Mettur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which the petition for anticipatory bail shall stand dismissed and on further conditions that: "vide order dated 19.01.2022 in Crl.O.P.No.725 of 2022 by this Hon'ble court and pass such further order or orders.

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 M.MARIAPPAN, Advocate for the petitioner, and of MR.L.BASKARAN, Govt. Advocate (Crl. Side) on behalf of the Respondent, the court made the following order:-



The present petition has been filed to modify the condition imposed on the petitioner in Para 6 of the order dated 19.01.2022 passed by this Court in CrI.O.P.No.725 of 2022 while granting bail.

2. The learned counsel for the petitioner has submitted that the condition imposed on the petitioner that the petitioner shall deposit a sum of Rs.1,00,000/- to the credit of Crime No.653 of 2021 and on such deposit, the petitioner is ordered to be released on bail has to be modified. He further submitted that the petitioner is being the coolie and he run his day to day life through daily wages and the properties also recovered from the investigating agency. therefore, he has not able to mobilize the fund. hence he seeks modification.

3. The learned Government Advocate (CrI. Side) appearing for the respondent police also admits that two cars and three sovereigns of gold jewels were recovered from the petitioner.

4. In the above circumstances, the petition is allowed by modifying the condition to the effect that the petitioner shall deposit a sum of **Rs.20,000/- [Rupees Twenty thousand only]** instead of Rs.1,00,000/- to the credit of Crime No.653 of 2021 and on such deposit, the petitioner is ordered to be released on bail in event of arrest or on his appearance, before the learned Judicial Magistrate No.II, Mettur, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall dismissed and on further conditions and further two weeks is extended to comply the order.

5. Except the above modification, all other conditions imposed by this Court in its order dated 19.01.2022 in CrI.OP.No.725 of 2022 shall stand unaltered.

6. With the above modification, this Criminal Miscellaneous Petition is allowed.

-sd/-
18/03/2022

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.



1 THE JUDICIAL MAGISTRATE,
NO.II, METTUR, SALEM.

2 THE CHIEF JUDICIAL MAGISTRATE
SALEM. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE SUB INSPECTOR OF POLICE,
MECHERI POLICE STATION,
SALEM DISTRICT-636 451.

+1 C.C. to M/S M.MARIAPPAN Advocate on payment of necessary
charges SR.NO.4221

Order

in
CRL MP.1580/2022

in
CRL OP.725/2022

Date :18/03/2022

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

TA-24/03/2022