



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Eighth day of February Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL MISCELLANEOUS PETITION No.2074 of 2022

IN CRL OP.1431/2022

T.POORNAPRAKASH

[PETITIONER]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
F-4, THOUSAND LIGHTS POLICE STATION,
THOUSAND LIGHTS,
CHENNAI.
CR.NO.387/2021.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the order passed in Crl.O.P.No.1431/2022 dated 24.01.2022 only to the simple extent that the defacto complainant is permitted to withdraw the amount by giving undertaking affidavit in the Crime No.387/2021.

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

This petition has been filed to modify the condition imposed on the petitioner in Crl.O.P.No.1431 of 2021 on 24.01.2022.

2.The learned counsel for the petitioner submits that in the order dated 24.01.2022, this Court directed the petitioner to deposit a sum of Rs.2,00,000/- to the credit of Crime No.387 of 2021 in Crl.O.P.No. 1431 of 2022 and the defacto complainant permitted to withdraw the said amount. He will not able to succeed to get back the amount, if he succeed in the case, he prayed to modify the said permission granted in favour of the defacto complainant.



3. On seeing the FIR, four persons were cheated a sum of Rs.20,00,000/-. Though the defacto complainant is alone permitted to withdraw the amount, it will create uncertainty with regard to the sharing of the amount. Considering the same, the said condition is modified to the effect that the trial Court shall keep the said amount in Crime No.387 of 2021, until the disposal of the criminal original petition.

-sd/-

28/02/2022

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 METROPOLITAN MAGISTRATE,
NO.XIV, EGMORE, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
F-4, THOUSAND LIGHTS POLICE STATION,
THOUSAND LIGHTS,
CHENNAI.

+1 C.C. to M/S. S.N.THANGARAJ Advocate on payment of necessary charges SR.NO.3046

Order

in
CRL MP.2074/2022

in
CRL OP.1431/2022

Date :28/02/2022

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TA-28/02/2022