



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the First day of April Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V.THAMILSELVI

CRIMINAL MISCELLANEOUS PETITION No.3957 of 2022

IN CRL OP.1264/2022

KESAVAN

[PETITIONER/ACCUSED NO.3]

Vs

THE INSPECTOR OF POLICE,
DCB, EROD.
(CRIME NO.4/2019)

[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 in so far as to deposit a sum Rs.7 lakhs to the credit of Crime No.4 of 2019 imposed in para 5(a) of the order made in Crl.O.P.No.1264 of 2022 dated 21.01.2022 by this Hon'ble Court 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. C.EMALIAS, 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 by the petitioner to modify the condition imposed by this Court in Crl.O.P.No.1264 of 2022 dated 21.01.2022.

2. The learned Counsel for the petitioner submits that the petitioner is working as a cab driver for daily wages and he has no means to deposit Rs.7,00,000/- which was imposed at the time of granting bail. Since the petitioner is not able to mobilize the funds, he is in judicial custody till now. The learned counsel for the petitioner prays to modify the condition by considering the economic condition of the petitioner as well as his family situation and he further submits that the co-accused were released by the trial Court without any condition.



3. The learned Government Advocate (Crl. Side) also admits that the co-accused were released on statutory bail and also the fact that charge sheet is not yet filed.

4. Considering the above facts, this Court is inclined to modify the condition to the effect that the petitioner shall deposit a sum of Rs.1,00,000/- instead of Rs.7,00,000/- to the credit of Crime No.4 of 2019 before the learned Judicial Magistrate-II, Erode within three weeks from the date of receipt of a copy of this Order.

5. Except the above modification, the other conditions imposed by the Court in Crl.OP.No.1264 of 2022 vide order dated 21.01.2022, shall remain unaltered.

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

-sd/-
01/04/2022

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-II,
ERODE.

2 THE CHIEF JUDICIAL MAGISTRATE
ERODE DISTRICT [FOR INFORMATION]

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



4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S. C.EMALIAS Advocate on payment of necessary
charges SR.No.4964

Order
in
CRL MP.3957/2022
in
CRL OP.1264/2022
Date :01/04/2022

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

CSK 05/04/2022