



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.NO.10461 OF 2022

Thangavel

... Petitioner

Vs

The Inspector of Police
Karuppur Police Station,
Salem District.
(Crime No.451 of 2021)

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to set aside and modify the bail condition imposed on the petitioner that the petitioner shall deposit a sum of Rs.25,000/- (Twenty Five Thousand Only) as non refundable deposit to the credit of the Salem District Mineral Foundation Trust in Crl.MP.No.4972 of 2021 dated 21.12.2021 passed by the Principal Sessions Judge, Salem(I/c), I Additional Sessions Judge, Salem.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.L.Baskaran
Government Advocate (Crl.side)

ORDER

This petition has been filed to modify the condition imposed on the petitioner by an order dated 21.12.2021 in Crl.M.P.No.4972 of 2021 by the Principal Sessions Judge, Salem, to deposit a sum of Rs.25,000/- as non refundable deposit to the credit of the Salem District Mineral Foundation Trust.

2.The petitioner was granted bail in crime No.451 of 2021 registered for the offence under Section 379 of IPC and Section 21(1) of Mines and Minerals (Development & Regulations) Act, 1957, in Crl.M.P.No.4972 of 2021 order dated 21.12.2021 with the following conditions:



(i) that the petitioner shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) as non refundable deposit to the credit of the Salem District Mineral Foundation Trust and on such deposit, the petitioner is ordered to be enlarged on bail on executing his bond for Rs.10,000/- (Rupees Ten Thousand Only) with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.II, Salem.

(ii) that the petitioner shall report and sign before the respondent/police daily at 10.00 a.m., until further orders and on further condition that he shall make available himself for interrogation as and when required by the investigation Officer;

(iii) that the petitioner shall not hamper the investigation and tamper the witnesses during time on bail.

3.Further, the petitioner was not able to mobilize the fund to the tune of Rs.25,000/- and as such he failed to comply with the conditions. Therefore, the petitioner is still in custody.

4.The learned Counsel for the petitioner would submit that the petitioner was arrested and remanded to judicial custody on 21.11.2021 and he is under judicial custody for more than seven months. Since he is agricultural coolie, he is not able to comply with the conditions as imposed by the Court below.

5. Considering the facts and circumstances of the case, this Court is inclined to modify the conditions imposed by the Court below. Accordingly, the first condition imposed in the order dated 21.12.2021 in CrI.M.P.No.4972 of 2021 is deleted and the other conditions shall remain unaltered.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

pbl

To

1. The Principal Sessions Judge /
I Additional Sessions Judge,
Salem.



2. The Inspector of Police
Karuppur Police Station,
Salem District.

3. The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.10461 of 2022

SVI (CO)
RLP (15/06/2022)