



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.05.2022

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P. No.11614 of 2022

Anbazhagan

.. Petitioner/A2

Vs.

1.Vengadesan

2. The State Rep. by its
The Inspector of Police,
Kedar Police Station,
Villupuram District.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to set aside the order passed by the learned Principal Sessions Judge, Villupuram in C.M.P. No.2370 of 2022 dated 29.04.2022 and allow the Criminal Original Petition.

For Petitioner : Mr. S.Saravana Kumar

For Respondent-2 : Mr. E.Raj Thilak
Additional Public Prosecutor

O R D E R

This Criminal Original Petition is filed to set aside the order passed by the learned Principal Sessions Judge, Villupuram in C.M.P. No.2370 of 2022 dated 29.04.2022.

2. The petitioner has challenged the condition imposed by the Court below while disposing of the petition filed for modification of condition wherein the petitioner was directed to deposit a sum of Rs.10,000/- to the Mediation Centre.

3. Heard Mr. S.Saravana Kumar, learned counsel for the petitioner and Mr.E.Raj Thilak, learned Additional Public Prosecutor for the second respondent.

4. In the considered view of this Court, it is now well settled that the Court should not impose the conditions directing the accused to deposit money as a condition for passing orders in bail petitions or in the petitions seeking



modification of conditions. In the present case, the petitioner was directed to deposit a sum of Rs.10,000/- towards the account maintained by the Mediation Centre, Villupuram, as a non-refundable deposit and this was made as a condition precedent for modifying the bail condition. Such a direction issued by the Court below cannot be sustained in view of the law settled by the Hon'ble Supreme Court.

5. The learned Additional Public Prosecutor on instructions submitted that the petitioner is complying with all the other conditions imposed by the Court below except deposit of the amount.

6. The condition imposed by the Court below directing the petitioner to deposit a sum of Rs.10,000/- as non-refundable deposit before the Mediation Centre, is liable to be interfered with by this Court and the said condition alone is hereby set aside. All the other conditions imposed by the Court below shall remain intact.

7. Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar/
Vacation Officer

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Principal Sessions Judge,
Villupuram.

2.The Inspector of Police,
Kedar Police Station,
Villupuram District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Saravana Kumar, Advocate, S.R.No.31565

CrI.O.P. No.11614 of 2022

SV(CO)
GN(25/05/2022)