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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.11931 of 2022

Rahul Parmar

... Petitioner / Petitioner

Vs.

The State
rep. by the Inspector of Police,
Mangalam Police Station,
Tiruppur.

... Respondent / Respondent

Prayer :- Criminal Original Petition filed under Section 439(1) (b) Cr.P.C. praying to modify the bail conditions in the order dated 27.04.2022 in Crl.M.P.No.834 of 2022 made by the Principal Sessions Court, Tiruppur.

For Petitioner	:	Mr.Balaji Thirumoorthy
For Respondent	:	Mr.V.J.Priyadarsana Government Advocate (Criminal Side)

O R D E R

This petition has been filed for modification of the condition imposed by the learned Principal Sessions Judge, Tiruppur, in Crl.M.P.No.834 of 2022 dated 27.04.2022, to make a non-refundable deposit of Rs.66,000/- in favour of the Treasurer Bar Association, Kangeyam.

2. The case of the prosecution is that the petitioner was in possession of 66 Kg of tobacco products illegally and tried to sell the general public. Hence, the respondent police registered a case in Crime No.120 of 2022 for the offence punishable under Section 328 of IPC as against the petitioner and arrested the petitioner and remanded to judicial custody on 12.04.2022.

3. The petitioner was granted bail by an order dated 27.04.2022 in Cr.M.P.No.834 of 2022 and the Court below imposed the following condition:-

"The petitioner shall make a non-refundable deposit of Rs.66,000/- (Sixty Six Thousand Only)



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be drawn by way of DD in favour of the Treasurer Bar Association, Kangeyam in order to educate the young Advocates and make them update themselves in law in order to cope up with the current developments in law and to make them equip to face for Civil Judge examination, this Court finds that a corpus should be developed for the welfare of young lawyers for their library both on line as well as off line library hence cost of Rs.66,000/- (Sixty Six Thousand only) ordered in this case and on receipt shall be utilized only for purchase of law books and for library materials like computer, library bureau, books etc., and the steps taken shall be informed to this Court with proper account"

Accordingly, the petitioner was directed to make a non-refundable deposit of Rs.66,000/- that to in favour of the Treasurer, Bar Association, Kangeyam in order to educate the young Advocates.

4. The learned counsel appearing for the petitioner would submit that the petitioner is a daily wage garment worker and he never owned any shop. He further submitted that the petitioner is an innocent person and it is nothing but put up case only for statistical purpose. Hence, he prays to modify the condition imposed on the petitioner.

5. It is seen that the Court below directed the petitioner to make a non-refundable deposit in favour the Bar Association instead of any hospital or any other cancer institute. Considering the above facts and circumstances, and also considering the order passed by the Court below, this Court is inclined to delete the above said condition.

6. Accordingly, the condition imposed on the petitioner in CrI.M.P.No.834 of 2022 dated 27.04.2022, i.e., to make a non-refundable deposit of Rs.66,000/- in favour of the Treasurer Bar Association, Kangeyam, by the learned Principal Sessions Judge, Tiruppur, is hereby deleted and other conditions shall remain intact.

7. Accordingly, this Criminal Original Petition is ordered.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar



rts

To

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1. The Principal Sessions Judge,
Tiruppur.
2. The Judicial Magistrate No.IV,
Tiruppur.
3. The Inspector of Police,
Mangalam Police Station,
Tiruppur.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

Copy to
The Treasurer,
Bar Association, Kangeyam.

CRL.O.P.No.11931 of 2022

SJ[co]
NSK/10/06/2022