



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Thirtieth day of June Two Thousand Twenty Two

PRESENT

The Hon`ble Mrs Justice T.V. THAMILSELVI

CRIMINAL MISCELLANEOUS PETITION No.7928 of 2022

IN CRL OP.26051/2021

SANGEETHA

[PETITIONER]

Vs

THE STATE REP BY
THE INSPECTOR OF POLICE,
TAMBARAM POLICE STATION,
CHENNAI.
(CRIME NO. 1549 OF 2018)

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to modify the condition imposed as The petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of Crime No. 1549 of 2018 within a period of (15) days after lifting of lockdown or the commencement of the courts normal functioning whichever is earlier before the Judicial Magistrate Court No. 1, Tambaram on such deposit being made, the learned magistrate, shall obtain an affidavit of undertaking from the defacto complainant stating that in the event of the petitioner succeeding the case, the amount of Rs.5,00,000/- deposited by the petitioner to the credit Crime No. 1549 of 2018 will be returned to the petitioner and after obtaining such affidavit of undertaking from the defacto complainant, shall disburse the said amount to the defacto complainant within a period of two weeks thereafter failing which, the anticipatory bail petition shall stands dismissed by this honble court in Crl.O.P.No.26051/2021 order dated 28/01/2022.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.KRISHNASAMY CHINNASAMY, Advocate for the petitioner and of MR.R.KISHORE KUMAR, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This petition has been filed to modify the conditions imposed by this Court in Crl.O.P.No.26051 of 2021 dated 28.01.2022 in para 6(a) as follows :-

"6.(a) the petitioner shall deposit a sum of Rs.5,00,000/-



(Rupees five lakhs only) to the credit of Crime No.1549 of 2018 within a period of fifteen days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier before the Judicial Magistrate Court No.1, Tambaram. On such deposit being made, the learned Magistrate, shall obtain an affidavit of undertaking from the defacto complainant stating that in the event of the petitioner succeeding the case, the amount of Rs.5,00,000/- deposited by the petitioner to the credit of Crime No.1549 of 2018 will be returned to the petitioner and after obtaining such affidavit of undertaking from the defacto complainant, shall disburse the said amount to the defacto complainant within a period of two weeks, thereafter failing which, the anticipatory bail petition shall stand dismissed."

2. The learned counsel for the petitioner submitted that the petitioner is the wife of A1 and other than that there is no connection in the instant case. He would submit that already both of them were not living together and she has been falsely implicated. He would further submit that the petitioner is ready to prove her innocence before the trial court and since she has old aged mother, she is looking after her. Hence, the present petition has been filed to modify the condition.

3. Considering the fact that more than Rs.21 lakhs involved in the offence and at the time of granting anticipatory bail, the petitioner has voluntarily consented to deposit the amount, and furthermore, A1, her husband was released on bail without any condition and also considering the fact that the offence involved in this case is grievous in nature, this Court is not inclined to modify the condition imposed by this Court. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

-sd/-

30/06/2022

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,
NO.I, TAMBARAM

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU (FOR INFORMATION)



3 THE INSPECTOR OF POLICE
TAMBARAM POLICE STATION,
CHENNAI.

WEB COPY

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2 C.C. to M/S.KRISHNASAMY CHINNASAMY Advocate on payment of
necessary charges SR.10632

Order

in
CRL MP.7928/2022

in
CRL OP.26051/2021

Date :30/06/2022

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

RVR 05/07/2022