



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.14693 of 2020

R.Chinnasamy

... Petitioner /Accused

Vs.

State by,
The Sub - Inspector of Police,
CCB-EDF Central Crime Branch,
Vepery, Chennai.
Crime No.339 of 2018

... Respondent /Complainant

PRAYER : The Criminal Original Petition is filed under Section 439(1) (b) of Criminal Procedure Code, pleaded to modify the condition that '(iii) the petitioner shall deposit the title deed worth 50 lakhs before the trial court' imposed in Cr1.M.P.14947/2018 passed by the learned court of sessions at Chennai and to return the original title deeds deposited, to the petitioner.

For Petitioner	: Mr.R.C.Paul Kanagaraj
For Respondent	: Mr.A.Gokulakrishnan Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to modify the condition that '(iii) the petitioner shall deposit the title deed worth 50 lakhs before the trial court' imposed in Cr1.M.P.14947 of 2018 passed by the learned Court of Sessions at Chennai and to return the original title deeds to the petitioner.

2. Learned counsel for the petitioner would submit that the petitioner is arrayed as accused in Crime No.339 of 2018, registered by the respondent police for the offence under Sections 409, 420, 477(A) and 506(i) IPC. The petitioner was arrested and he had applied for bail before the Court of Sessions in Cr1.M.P.No.14947 of 2018. The learned Sessions Judge by an order dated 05.09.2018, had granted bail on imposing certain conditions. One of the condition is that the petitioner is directed to deposit the title deeds worth of Rs.50 lakhs before the trial Court. He would further submit that pursuant to



the same, the petitioner had deposited the documents and he was released on bail. Subsequently, investigation has been completed and the final report has also been filed and the case is now stands posted for trial.

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3. He would also submit that the petitioner is aged about 80 years and he had complied with the order of the Court. Thereby, the present petition has been filed to modify the condition (iii) and to return of documents deposited before the trial Court.

4. Learned Additional Public Prosecutor would submit that the investigation has been completed and the final report has also been filed before the learned Metropolitan Magistrate for exclusive trial of CCB & CBCID Cases, Chennai and it has been taken on file in C.C.No.997 of 2020 and later, it has been transferred to the file of the Special Court for trial of Criminal Cases related to elected Members of Parliament and Members of Legislative Assembly of Tamil Nadu, Chennai and it is numbered as C.C.No.22 of 2020.

5. Taking into consideration the facts and submissions that the investigation has been completed and the case is now posted for trial, this Court is inclined to modify the condition imposed by the Sessions Judge in CrI.M.P.No.14947 of 2018 and the condition (iii) "The petitioner shall deposit title deeds worth Rs.50 lakhs before the trial Court" is modified and in the alternate, the petitioner is directed to execute a bond for Rs.5 lakhs (Rupees Five Lakhs only).

6. The learned Sessions Judge is directed to return the two property documents to the petitioner which was deposited by the petitioner pursuant to the order in CrI.M.P.No.14947 of 2018 dated 05.09.2018.

7. Accordingly, this Criminal Original Petition stands allowed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Sessions Judge,
Chennai.
2. The Sub - Inspector of Police,
CCB-EDF Central Crime Branch,
Vepery, Chennai.
3. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.R.C.Paul Kanagaraj, Advocate, S.R.No.20256
+1cc to the Government Pleader, S.R.No.20581

Cr1.O.P.No.14693 of 2020

SKM(CO)
CT 18/04/2022