

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.14297 of 2022

Jothi Kumar

... Petitioner/Accused

Vs

State Rep by
Inspector of Police
CCB, Chennai.
(Crime No.173 of 2021)

... Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the condition imposed in Crl.MP.No.9332 of 2022 on the file of the Principal Sessions Judge, Chennai dated 13.06.2022 (a) that the petitioner deposit a sum of Rs.1 crore to the credit of the Crime No.173 of 2021 before the said Court and the final order in respect of the amount will be passed at the end of criminal proceedings by the Trial Court.

For Petitioner : Mr.A.Kalaiazhagan

For Respondent : M/s.V.J.Priyadarsana
Government Advocate (Crl.side)

ORDER

This petition has been filed to modify the condition imposed on the petitioner by an order dated 13.06.2022 in Crl.M.P.No.9332 of 2022 by the Principal Sessions Judge, Chennai, to deposit a sum of Rs.1 crore to the credit of Crime No.173 of 2021 before the said Court.

2.The petitioner was granted bail in Crime No.173 of 2021 punishable for the offence under Sections 406, 420, 465, 468, 471 r/w 34 IPC, in Crl.M.P.No.9332 of 2022 order dated 13.06.2022 with the following conditions:

(a) The petitioner shall also deposit a sum of Rs.1,00,00,000/- (Rupees One Crore only) to the credit of the Crime No.173 of 2021 before the said court and the final order in respect of the amount will be

passed at the end of the criminal proceedings by the trial court.

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity.

(c) the petitioner shall appear before the respondent police daily at 10.30 a.m until further orders.

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial.

(e) the petitioner shall not abscond either during investigation or trial.

3. The learned Counsel for the petitioner would submit that the petitioner is not a wealthy person and the condition is extremely onerous to comply with. Therefore, the petitioner prays for further modification.

4. Considering the facts and circumstances of the case and also the nature of allegation levelled against the petitioner, the condition imposed on the petitioner by the trial court was very reasonable and justified. Hence this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

drl

To

1. The Principal Sessions Judge,
Chennai.
2. The Inspector of Police
CCB, Chennai.
3. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.14297 of 2022

SR(CO)
GMV(15/07/2022)