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CRL.O.P. No.24884 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CRL.O.P. No.24884 of 2022

Parasmani

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Cyber Crime Police Station (CCD – II),
Tiruppur District.
(Crime No.24 of 2022)

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the condition that the petitioner is directed to deposit Rs.1,00,000/- (One Lakh Rupees) before the Judicial Magistrate – III, Tiruppur, subject to the outcome of the case, vide order made in CrI.M.P.No.1791 of 2022 in Crime No.24 of 2022, on the file of the Principal Sessions Judge, Tiruppur.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This petition has been filed for modification of the condition imposed by the learned Principal Sessions Judge, Tiruppur, in CrI.M.P.No.1791 of 2022 dated 16.09.2022, to deposit Rs.1,00,000/- before the trial Court subject to the



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outcome of the case.

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2. While granting anticipatory bail to the petitioner, by an order dated 16.09.2022 in Cr.M.P.No.1791 of 2022, the Court below imposed the following conditions:-

“In the result, the petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the Judicial Magistrate No.III, Tiruppur within 15 days from today, on her executing a bond for Rs.50,000/- each with 2 sureties for a like sum to the satisfaction of the Judicial Magistrate No.III, Tiruppur with a condition that the petitioner is directed to deposit Rs.1,00,000/- before the trial court subject to the outcome of the case and she should appear before the respondent police daily morning at 10.00 a.m. and evening at 5.00 p.m. for 30 days, thereafter, she should appear before the Court concerned on receipt of summon”

Accordingly, the petitioner was directed to deposit Rs.1,00,000/- before the trial court subject to the outcome of the case.

3. The learned counsel for the petitioner would submit that the petitioner was granted anticipatory bail by the learned Principal Sessions Judge, Tiruppur in CrI.M.P.No.1791 of 2022 vide Order dated 16.09.2022 with a condition to deposit



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Rs.1,00,000/- . He would further submit that the total amount involved in this case is Rs.10,00,000/- . Her husband and yet another accused in this case have been arrested and released on bail. He would further submit that her husband was enlarged on bail by the learned Principal Sessions Judge, Tiruppur in Crl.M.P.No.1768 of 2022 vide Order dated 14.09.2022 with a condition to deposit Rs.4,00,000/- and the other accused to deposit Rs.5,00,000/- at the time of grant of bail by the learned Principal Sessions Judge, Tiruppur in Crl.M.P.No.1763 of 2022 vide Order dated 13.09.2022. As far as the petitioner is concerned, she has no role in the offence and no amount has come to her account. He would further submit that the fact remains that a sum of Rs.1,50,000/- has been transferred to some other account and it has been frozen and there is no requirement of the petitioner to deposit Rs.1,00,000/- . Hence, he prays to modify the condition imposed on the petitioner.

4. The learned Government Advocate (Crl. Side) submit that the petitioner has been granted anticipatory bail by the learned Principal Sessions Judge, Tiruppur, in Crl.M.P.No.1791 of 2022 dated 19.09.2022 and co-accused were also enlarged on bail. However, he sought for dismissal of this petition seeking modification.



5. Heard Mr.W.Camyles Gandhi, learned counsel appearing for the petitioner and Mr.Vinothraja, learned Government Advocate (Crl. Side) appearing for the respondent police.

6. It is seen that the Court below has directed the petitioner to deposit Rs.1,00,000/- before the trial court subject to the outcome of the case. 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.

7. Accordingly, the condition imposed on the petitioner in Crl.M.P.No.1791 of 2022 dated 16.09.2022, i.e., the petitioner was directed to deposit Rs.1,00,000/- before the trial court subject to the outcome of the case., is hereby deleted and modified as follows:-

“In the result, the petitioner shall be released on bail in the event of her arrest or in the event of her surrender before the Judicial Magistrate No.III, Tiruppur within 15 days from the date on which the order copy is made ready, on her executing a bond for Rs.50,000/- each with 2 sureties for a like sum to the satisfaction of the Judicial Magistrate No.III, Tiruppur and she should appear before the respondent police daily morning at 10.00 a.m. and evening at 5.00 p.m. for 30 days,



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*thereafter, she should appear before the Court
concerned on receipt of summon”*

The other conditions shall remain intact.

8. Accordingly, this Criminal Original Petition is ordered.

14.10.2022

Index : Yes/No

Internet : Yes

Speaking/non speaking order

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To

1. The Principal Sessions Judge,
Tiruppur.
2. The Inspector of Police,
Cyber Crime Police Station (CCD – II),
Tiruppur District.
3. The Public Prosecutor,
High Court, Madras.



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A.D.JAGADISH CHANDIRA, J.

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