



Crl.O.P No.26488 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02.11.2022**

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.26488 of 2022

Inbanathan

... Petitioner

Vs

The State Rep by
The Inspector of Police
Tiruvallur District Crime Branch
Tiruvallur District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the learned Judicial Magistrate, Tiruttani to release the deposit amount of Rs.1,00,000/- lying in the credit of Crime No.9 of 2016 with corresponding C.C No.33 of 2017 based on the judgment of acquittal of the petitioner dated 01.07.2022, to the petitioner forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.side)



Crl.O.P No.26488 of 2022

ORDER

WEB COPY

The Criminal Original Petition has been filed, seeking a direction to the learned Judicial Magistrate, Tiruttani to release the deposit amount of Rs.1,00,000/- lying in the credit of Crime No.9 of 2016 with corresponding C.C No.33 of 2017 based on the judgment of acquittal of the petitioner dated 01.07.2022 to the petitioner forthwith.

2. The learned counsel appearing for the petitioner submitted that the petitioner is an accused in C.C No.33 of 2017 and he was acquitted after trial. During the pendency of the case, he moved a bail application before this Court in Crl.O.P No.27147 of 2016 and a conditional order was passed on 29.12.2016 and the petitioner was enlarged on bail on condition that he shall deposit a sum of Rs.1,00,000/- to the credit of the Judicial Magistrate Court, Tiruttani and also to execute a bond for a sum of Rs.10,000/- with two sureties. In compliance thereof, the petitioner has deposited the said amount. But the amount was not released, even after the petitioner was acquitted in the case.



Crl.O.P No.26488 of 2022

3. The records would show that the petitioner had also filed a memo before the Judicial Magistrate, Tiruttani to release the said amount deposited by him. But the said memo was returned by the said Judicial Magistrate for certain defects. In that case, it is expected from the petitioner to comply the direction and represent the petition in an appropriate manner. Without exhausting the due remedy open to him before the Judicial Magistrate, Tiruttani, the petitioner has rushed to this Court in a premature manner. The petitioner is at liberty to comply the return orders and represent the petition as required by the learned Judicial Magistrate, Tiruttani, to enable the learned Judicial Magistrate to pass orders in accordance with law.

4. With the above observation, this Criminal Original Petition stands dismissed.

02.11.2022

Index : Yes/ No
Speaking Order: Yes/No
uma



WEB COPY



Crl.O.P No.26488 of 2022

R.MANJULA, J

uma

To

- 1.The Inspector of Police
Tiruvallur District Crime Branch
Tiruvallur District.
- 2.The Public Prosecutor
High Court of Madras.

Crl.O.P.No.26488 of 2022

02.11.2022