



Crl.M.P.No.16797 of 2022

Crl.M.P.No.16797 of 2022

in

Crl.O.P.No.25491 of 2022

G.K.ILANTHIRAIYAN, J.

This petition has been filed to modify the condition imposed by this Court in Crl.OP.No.25491 of 2022 dated 19.10.2022 that the petitioner shall deposit the original title deeds not less than the value of Rs.1 crore (stands in the name of the petitioner or his relatives or friends) along with proper valuation certificate obtained from the authority concerned, to the credit of crime No.90 of 2022, within a period of two weeks from the date of receipt of a copy of this order, without prejudice to their right of defence.

2. The learned counsel appearing for the petitioner would submit that the property is worth about more than Rs.1,00,00,000/-, which is very much available with the hands of the defacto complainant. The petitioner is also ready and willing to sell the same since the purchasers are ready to purchase the same. Whereas, the learned counsel for the defacto complainant would submit that the property is admeasuring 9 cents and it is situated in Thiruvavarur District and it will not fetch that worth and as such, he vehemently opposed to modify the condition imposed by this Court while granting bail.

3. Heard, the learned counsel appearing on either side.

4. It is a case of bail. This Court granted bail to the petitioner on 19.10.2022. Since the petitioner could not able to comply with the condition imposed by this Court, the petitioner is still in prison.



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5. Considering the above facts and circumstances of the case, this court is inclined to modify the conditions imposed on the petitioner in Crl.OP.No.25491 of 2022 dated 19.10.2022 as follows:

“Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two blood related sureties, each for a like sum to the satisfaction of the learned Metropolitan Magistrate Court, CCB Court, Egmore, and on further conditions that:

[a] 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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m., and 05.30 p.m, until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down



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by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala

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*[f] If the accused thereafter absconds, a fresh FIR can
be registered under Section 229A IPC.”*

22.11.2022

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Note: Issue order copy on 22.11.2022



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