



CrI.O.P.No.31014 of 2022

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2022

CORAM

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

CrI.O.P.No.31014 of 2022

Imran

... Petitioner

Vs.

The State represented by  
The Inspector of Police,  
Panjapalli Police Station,  
Dharmapuri District.

(Crime No.88/2022).

... Respondent

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C.,  
pleased to modify the condition imposed on the petitioner by the learned  
Principal District Judge, Dharmapuri in CrI.M.P.No.2299 of 2022 dated  
30.11.2022.

For Petitioner : Mr.P.M.Jayachandran

For Respondent : Mr.Leonard Arul Joseph Selvam  
Government Advocate (crl.side)



Crl.O.P.No.31014 of 2022

WEB COPY

### **ORDER**

This petition has been filed to modify the condition imposed on the petitioner by the learned Principal District Judge, Dharmapuri in Crl.M.P.No.2299 of 2022 dated 30.11.2022 that the petitioner shall deposit a sum of Rs.1,63,000/- (Rupees One Lakh and Sixty Three Thousand Only) as a non-refundable deposit to the credit of Mediation and Conciliation Centre, Dharmapuri.

2.The learned counsel for the petitioner would submit that the petitioner who was arrested in Crime No.88 of 2022 for the offence under Section 328 IPC r/w Sections 7 of the Cigarette and other Tobacco Products Act, 2003. He would submit that the petitioner had filed an application for bail before the learned Principal District Judge, Dharmapuri in Crl.M.P.No.2299 of 2022 and the learned trial Judge by an order dated 30.11.2022 was pleased to grant bail with a condition that the petitioner shall deposit a sum of Rs.1,63,000/- (Rupees One Lakh and Sixty Three Thousand only) as a non-refundable deposit to the credit of Mediation and Conciliation Centre, Dharmapuri. He would submit that the petitioner being the driver of the vehicle was unable to raise funds to the tune of Rs.1,63,000/- and



Crl.O.P.No.31014 of 2022

thereby, he is still in custody, despite the order being passed on 30.11.2022.

The learned Magistrate has imposed onerous condition and thereby, preventing the petitioner to come out on bail. Hence, the present petition has been filed for modification of the condition.

3.The learned Additional Public Prosecutor would submit that the petitioner along with other accused were found in illegal possession of some banned tobacco products. He would further submit that there is no previous case pending against him. However, he opposed for modification of the condition imposed by the learned Principal District Judge, Dharmapuri.

4. Considering the above submissions, the condition imposed by the learned Principal District Judge, Dharmapuri in Crl.M.P.No.2299 of 2022 on the petitioner i.e., "to deposit a sum of Rs.1,63,000/-(Rupees One Lakh and Sixty Three Thousand Only) as a non-refundable deposit to the credit of Mediation and Conciliation Centre, Dharmapuri", vide order dated 30.11.2022 shall stands replaced as "to deposit a sum of Rs.50,000/-(Rupees Fifty Thousand Only) as a non refundable deposit to the credit of "the Mediation and Conciliation Centre, Dharmapuri".



CrI.O.P.No.31014 of 2022

WEB COPY

5. Accordingly, this Criminal Original Petition is modified. All other conditions remain unaltered.

**16.12.2022**

vkf

**Note: Issue order copy on 16.12.2022**

To

1. The Principal District Judge, Dharmapuri.
2. The Inspector of Police,  
Panjapalli Police Station,  
Dharmapuri District.
3. The Public Prosecutor,  
High Court of Madras.



WEB COPY



CrI.O.P.No.31014 of 2022

**T.V.THAMILSELVI,J.**

vkp

CrI.O.P. No.31014 of 2022

16.12.2022