



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 11/05/2022

CORAM

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) . No.9018 of 2022

WEB COPY

1.Alaguraja
2.Palpandi

... Petitioners/Accused Nos.2 and 3

Vs

State through
The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
(Crime No.57/2022).

... Respondent/Complainant

PRAYER :-

This Criminal Original Petition is filed under Section 439(1)(b) of Cr.P.C., r/w 482 of Cr.P.C., to modify the condition passed in Cr.M.P.No.796/2022 dated 25.03.2022 in so far as the petitioners should deposit Rs.10,000/- each (Rupees Ten Thousand each] in the Judicial Magistrate No.III Court, Dindigul, towards damages to the credit of the case in Cr.No.57 of 2022 of Sanarpatti P.S., and also be pleased to extend the time granted to produce sureties.

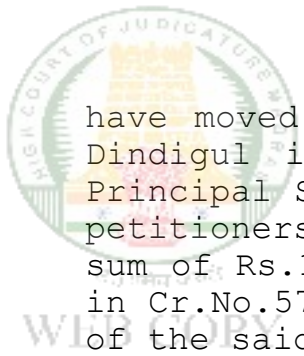
For Petitioner : M/s.P.Krishnaveni, Advocate.

For Respondent : Mr.A.Albert James
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed seeking modification of the condition passed in Cr.M.P.No.796/2022 dated 25.03.2022 in so far as the petitioners should deposit Rs.10,000/- each (Rupees Ten Thousand each] in the Judicial Magistrate No.III Court, Dindigul, towards damages, to the credit of the case in Cr.No.57 of 2022 of Sanarpatti P.S., and also be pleased to extend the time granted to produce sureties.

2.The case of the prosecution is that the petitioners and their friends went to the hotel run by the defacto complainant. They said to have abused the defacto complainant with filthy words and caused damages to the hotel and threatened him with dire consequences. Hence a complaint has been filed in Cr.No.57 of 2022 before the respondent police. Seeking Anticipatory bail, the petitioners herein



have moved a petition before the learned Principal Sessions Judge, Dindigul in Crl.M.P.No.796 of 2022. On 25.03.2022, the learned Principal Sessions Judge, Dindigul, granted anticipatory bail to the petitioners and imposed a condition to the petitioners, to deposit a sum of Rs.10,000/- each, towards damages, to the credit of the case in Cr.No.57/2022 of Sanarpatti Police Station. Seeking modification of the said condition, this petition has been filed.

3.The learned counsel for the petitioners submitted that since the petitioners are coolie workers and they are unable to comply the said condition as imposed by the Court below, the same may be modified.

4.The learned Government Advocate (Crl.side) would submit that the petitioners have voluntarily quarreled with the defacto complainant and caused damages to his hotel.

5.Considering the facts and circumstances of the case, this petition is allowed and the condition imposed by the learned Principal Sessions Judge, Dindigul, is modified as, the petitioners are directed to deposit a sum of Rs.5,000/- each (Rupees Five Thousand each) in the Judicial Magistrate No.III Court, Dindigul, towards damages to the credit of the case in Cr.No.57 of 2022 of Sanarpatti Police Station, Dindigul District. The other conditions imposed by the learned Principal Sessions Judge, Dindigul, vide order dated 25.03.2022, stand unaltered. A period of two weeks from the date of receipt of a copy of this order, is granted to produce the sureties.

6.This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar
(Vacation Officer)

// True Copy //

18/05/2022

Sub Assistant Registrar(CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1.The Principal Sessions Judge, Dindigul.

2.The Judicial Magistrate No.III Court, Dindigul.

3.The Inspector of Police,
Sanarpatti Police Station, Dindigul District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/s.P.KRISHNA VENI, Advocate, SR.No.4618

ORDER IN
CRL OP(MD) No.9018 of 2022
Date : 11/05/2022

SA(18.05.2022) 3P 6C