



Crl.O.P.No.2677 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

CORAM

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

Crl.O.P.No.2677 of 2023

A.Arul

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Sunguvarchathiram Police Station,
Chengalpattu District.

(Crime No.4 of 2023).

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleaded to modify the condition imposed in the order dated 19.01.2023 in Crl.M.P.No.152 of 2023 on the file of the learned Principal Sessions Judge, Kancheepuram District, Chengalpattu as far as directing the petitioner/accused to produce a Demand Draft of Rs.1,00,000/- (Rupees One Lakhs Only) payable to "The Chairman/District Collector, The District Mineral Foundation Trust of Kancheepuram District' (Non refundable), before the Judicial Magistrate, Sriperumbudur.

For Petitioner : Mr.A.Arun Kumar

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed to modify the condition imposed in the order dated 19.01.2023 in Crl.M.P.No.152 of 2023 on the file of the learned Principal Sessions Judge, Kancheepuram District, Chengalpattu as far as directing the petitioner/accused to produce a Demand Draft of Rs.1,00,000/- (Rupees One Lakhs Only) payable to “The Chairman/District Collector, The District Mineral Foundation Trust of Kancheepuram District' (Non refundable), before the Judicial Magistrate, Sriperumbudur.

2. The learned counsel for the petitioner submitted that the petitioner is not an accused and the lower Court, while granting bail to the petitioner, the trial Court imposed a condition that the petitioner was directed to produce a Demand Draft for Rs.1,00,000/- (Rupees One Lakhs Only) payable to “The Chairman/District Collector, The District Mineral Foundation Trust of Kancheepuram District' (Non refundable), before the Judicial Magistrate, Sriperumbudur”. However, he is unable to raise funds to deposit the said amount. Hence, the modification petition has been filed by the petitioner.



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3. Heard the learned Government Advocate (Criminal Side) appearing for the respondent police.

4. Considering the facts and circumstances of the case, reason is justifiable and without prejudice to the rights and contention of the petitioner, this Court modifies the condition that the petitioner is directed to make a non refundable deposit of **Rs.30,000/- (Rupees Thirty Thousand Only)** to the credit of the Registered Advocate Clerks Association, Kancheepuram District, within a period of two weeks from the date of receipt of a copy of this order. The other conditions imposed by the Court shall remain intact.

5. With the above modification, this Criminal Original Petition is disposed of.

08.02.2023

Internet: Yes/No

Index :Yes/No

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NOTE: Issue order copy on 13.02.2023.



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T.V.THAMILSELVI, J.

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To

1. The Chairman/District Collector,
The District Mineral Foundation Trust of Kancheepuram District.
2. The Inspector of Police,
Sunguvarchathiram Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras.

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