



Crl.M.P.No.4421 of 2023

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in Crl.O.P.No.25526 of 2019

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A.D.JAGADISH CHANDIRA, J.

This Criminal Miscellaneous Petition has been filed to withdraw the deposited amount of Rs.3,00,000/- by A2/husband on the basis of the order passed by this Court in Crl.O.P.No.25526 of 2019 dated 03.10.2019.

2.The learned counsel for the petitioner would submit that the petitioner is the wife of one Muthu, who was arrayed as A2 in Crime No.136 of 2019, registered by the respondent Police for the offences under Sections 448, 506(i), 506, 420 of IPC r/w Section 4 of TNPPDL Act. He would also submit that pursuant to the above case, the said Muthu/A2 was arrested on 11.09.2019, therefore, he approached this Court seeking for bail in Crl.O.P.No.25526 of 2019 and this Court, on 03.10.2019, while granting bail to him, had directed him to deposit a sum of Rs.3,00,000/- to the credit of Crime No.136 of 2019, before the



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concerned Court on or before 24.10.2019. He would further submit that in due compliance of the same, A2 has also deposited the said amount, whereas, pending investigation, he has passed away, thereby, the charges against him has abated and there is no purpose in the amount being lying in the credit of the crime number and thereby, the petitioner has filed this present petition as the legal heir of the deceased/A2 to withdraw the deposited amount of Rs.3,00,000/-, which is lying before the learned Judicial Magistrate, Tambaram. He would further submit that the other legal heirs of A2 are also ready to give no objection letter to the petitioner/wife of the deceased to withdraw the amount lying before the Court concerned .

3. The learned Government Advocate (crl.side) would submit that the petitioner is the wife of Muthu, who was arrayed as A2 in Crime No.136 of 2019. He would further submit that the second accused died on 23.10.2020.



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4. In view of the above, the petitioner being the wife of the deceased Muthu / A2 is permitted to withdraw the amount of Rs.3,00,000/- which has been deposited to the credit of Crime No.136 of 2019 on the file of the learned Judicial Magistrate, Tambaram, pursuant to the order passed by this Court in Crl.O.P.No.25526 of 2019 dated 03.10.2019. The petitioner shall file identity proof and also no objection letter from the other legal heirs.

5. With the above directions, this Criminal Miscellaneous Petition stands ordered.

31.03.2023

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