



Crl.M.P.No.4608 of 2023

Crl.M.P.No.4608 of 2023
in Crl.O.P.No.6185 of 2023

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A.D.JAGADISH CHANDIRA, J.

This Criminal Miscellaneous Petition has been filed to modify the condition imposed by this Court, while granting bail to the petitioner in Crl.O.P.No.6185 of 2023 dated 21.03.2023, to deposit the original title deeds of an immovable property not less than the value of Rs.5 lakhs (standing in the name of the petitioner or his relatives or his friends) to the credit of Crime No.440 of 2019.

2. This Court, on the submissions made by the learned counsel appearing for the petitioner that the petitioner is ready and willing to deposit the original title deeds of an immovable property worth about Rs.5 lakhs, before the Court concerned, has granted bail to the petitioner in Crl.O.P.No.6185 of 2023 on 21.03.2023 with a condition to deposit the original title deeds of an immovable property not less than the value of Rs.5 lakhs (standing in the name of the petitioner or his relatives or his friends) to the credit of Crime No.440 of 2019.



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3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner submitted that the relatives of the petitioner, who has assured to give the original title deeds, have refused to give the same, thereby, the the petitioner is unable to come out on bail. He further submitted that in the alternate, the petitioner is ready and willing to deposit a cash security for a sum of Rs.1 lakh to the credit of the crime number. He also submitted that despite the bail order being granted on 21.03.2023, the petitioner is unable to come out on bail and still, the petitioner is languishing in prison, thereby, he seeks for modification of the condition.

4. Learned Government Advocate (Crl.Side) submitted that no other cases are pending as against the petitioner.

5. Mr.Prabakaran, learned counsel for the de-facto complainant submitted that the petitioner is the main accused in this case, therefore, he opposed for modifying the condition.



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6. Heard both the learned counsel for the petitioner and the de-facto complainant and the learned Government Advocate (Crl.Side) and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by either side and also considering the fact that the petitioner is volunteered to deposit a sum of Rs.1 lakh as security to the credit of crime number, this Court is inclined to modify the Condition (Paragraph 8), which shall be read as follows:-

“ 8. Accordingly, **the petitioner is directed to deposit a sum of Rs.1 lakh to the credit of Crime No.440 of 2019**, without prejudice to his rights and contentions before the trial Court concerned and on such deposit, 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 sureties**, for a like sum to the satisfaction of the **learned Judicial Magistrate, Ambattur**, and on further conditions that:”



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The other conditions imposed by this Court in Crl.O.P.No.6185 of 2023 on 21.03.2023 shall remain unaltered.

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

30.03.2023

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Note : Registry is directed to issue order copy by today (on 30.03.2023)

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