



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.4.2023

CORAM:

THE HON'BLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.No.7479 of 2023

G.Harikrishnan

Petitioner

Vs.

State rep by
The Inspector of Police,
E2, Peelamedu Police Station,
Coimbatore District.
Crime No.4 of 2023

Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside and modify the condition imposed in Crl.M.P.No.1471 of 2023 by order dated 20.3.2023 by the Principal District and Sessions Judge Court at Coimbatore to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) into the credit of Crime No.4/2023 on the file of the respondent police.

For Petitioner : Ms.L.Srileka

For Respondent : Mr.N.S.Suganthan
Government Advocate (Crl. Side)



ORDER

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This Criminal Original Petition is filed to modify the condition imposed in Crl.M.P.No.1471 of 2023 by order dated 20.3.2023 by the Principal District and Sessions Judge Court at Coimbatore to deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) into the credit of Crime No.4/2023 on the file of the respondent police.

2. The petitioner is facing a case in Crime No.4 of 2023 on the file of the respondent police for the offences punishable under Section 4 of Tamil Nadu Prohibition of Charging and Exorbitant Interest Act, 2003 and Section 379 IPC for alleged to have claimed exorbitant interest on money lending and taken away machineries of the de facto complainant to the tune of Rs.1,25,00,000/-. He moved the court below for anticipatory bail in C.M.P.No.284 of 2023 and the court below had granted anticipatory bail by order dated 14.2.2023 imposing a condition to deposit a sum of Rs.5,00,000/- to the credit of Crime No.4 of 2023 before Judicial Magistrate No.2, Coimbatore. The petitioner had sought for modification of the said condition by filing a petition in Crl.O.P.No.5218 of 2023 before this court wherein this court, by order dated 7.3.2023, had directed the petitioner to



approach the court below. Accordingly, the petitioner had approached the court below seeking modification by filing CrI.M.P.No.1471 of 2023 which came to be dismissed by the court below by order dated 20.3.2023, which is under challenge in the present Criminal Original Petition.

3. When the matter was taken up for hearing, learned counsel appearing for the petitioner submitted that the petitioner is a law abiding citizen and he has not committed any offence alleged against him and it is only a case of borrowal by the de facto complainant to the tune of Rs.12,00,000/- and issuance of cheque to the tune of Rs.10,00,000/- towards repayment, which was also returned constraining the petitioner to issue legal notice demanding repayment and hence, seeks indulgence of this court in the matter. He would further submit that the petitioner is ready to deposit a sum of Rs.1,50,000/- to prove his bona fide.

4. Having heard the learned Government Advocate (Criminal Side) and perused the materials available on record, this court is of the view that some indulgence can be shown to the petitioner and accordingly, the condition imposed by the court below while granting anticipatory bail to the petitioner is modified to the effect that the petitioner shall deposit a sum of



Rs.1,50,000/- alone to the credit of Crime No.4 of 2023 before Judicial Magistrate No.2, Coimbatore. The other conditions imposed by the court below remain unaltered. The Criminal Original Petition is ordered accordingly.

10.4.2023

Index: Yes/No
Internet: Yes/No

ssk.

Note to office:-

**Issue copy of this order
by 12.4.2023.**

To

1. Principal District and
Sessions Judge,
Coimbatore.
2. Judicial Magistrate II,
Coimbatore.
3. The Inspector of Police,
E2, Peelamedu Police Station,
Coimbatore District.
4. The Public Prosecutor,
High Court, Madras.



WEB COPY



A.D.JAGADISH CHANDIRA.,J.

ssk.

Crl.O.P.No.7479 of 2023

10.4.2023