



WEB COPY



Crl.O.P.No.15745 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.15745 of 2023

Challa Vasudeva Rao

...

Petitioner

Vs.

State rep by Inspector of Police,
K-11 CMPT Police Station,
Chennai,
Crime No.293 of 2022.

...

Respondent

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) Cr.P.C. praying to modify the condition imposed by the Principal and Sessions Court, Chennai in Crl.M.P.No.13802 of 2023 on 20.06.2023 directing the petitioner to deposit a sum of Rs.3,00,000/- in the above crime number and permit the petitioner to furnish documentary surety instead of depositing cash.

For Petitioner : Mr.D.Chandrasekar

For Respondent : Mr.S.Rajakumar

Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to modify the condition imposed by the Principal and Sessions Court, Chennai, in Crl.M.P.No.13802 of 2023, on 20.06.2023, directing the petitioner to deposit a sum of Rs.3,00,000/- in the above crime number and permit the petitioner to furnish documentary surety instead of depositing cash.



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2.It is the submission of the learned counsel for the petitioner that while granting bail to the petitioner, the learned V Metropolitan Magistrate, Egmore, Chennai, in Crl.M.P.No.13221 of 2023, dated 24.04.2023, directed the petitioner to deposit a sum of Rs.5,00,000/- in the crime number and execute a bond for Rs.25,000/- along with two sureties. Petitioner filed Crl.M.P.No.13802 of 2023, on the file of the learned Principal Sessions Judge, Chennai, challenging the condition to deposit a sum of Rs.5,00,000/-. The learned Principal Sessions Judge, modified the condition that instead of Rs.5,00,000/-, petitioner was directed to deposit Rs.3,00,000/-.

3.It is the submission of the learned counsel for the petitioner that petitioner finds it difficult to mobilize Rs.3,00,000/- for depositing in the Court. He further submitted that petitioner is prepared to produce the original title deed in the name of his mother, instead of Rs.3,00,000/- to the satisfaction of this Court.

4.The learned Additional Public Prosecutor opposed the relaxation of the condition on the ground that petitioner is from Andhra Pradesh and the proposed property document relates to the property in Andhra Pradesh.



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5.Considering the reasons stated by the learned counsel for the petitioner that petitioner is not able to mobilize Rs.3,00,000/- in cash, this Court directs the petitioner to deposit the original title deed of immovable property in the name of the his mother, instead of Rs.3,00,000/- before the learned V Metropolitan Magistrate, Egmore, Chennai. Other conditions remains unaltered.

6.Accordingly, this Criminal Original Petition is ordered.

16.08.2023

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Internet:Yes

Index:Yes/No

Speaking/Non speaking order

To:

- 1.Inspector of Police,
K-11 CMPT Police Station,
Chennai,
Crime No.293 of 2022.
2. The Principal and Sessions Court,
Chennai.
3. The V Metropolitan Magistrate,
Egmore, Chennai.
- 4.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.
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