



WEB COPY

Crl.O.P.No.26130 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.11.2023

CORAM

THE HON'BLE MR. JUSTICE **C.V.KARTHIKEYAN**

Crl.O.P.No.26130 of 2023

B.Rasheetha

....Petitioner

Vs.

State Rep.by Inspector of Police,
S8, Adambakkam Police Station,
Adambakkam, Chennai - 600 087.
(Crime No.205 of 2023)

...Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., pleaded to modify the anticipatory bail condition before this Court for the petitioner/accused A2 is directed to deposit a sum of Rs.5,00,000/- into the credit of learned Judicial Magistrate No.II, Alandur in Crime No.205 of 2023 of Adambakkam Police Station imposed in Crl.M.P.No.5712 of 2023 order dated 03.10.2023.

For Petitioner : Mr.J.Lingeswaran

For Respondent : Mr.R.Vinoth Raja,

Government Advocate (Crl.Side)



ORDER

Petitioner seeks modification of the order dated 03.10.2023

in Crl.M.P.No.5712 of 2023.

2. The learned Judicial Magistrate No.II, Alandur while granting anticipatory bail to the petitioner in Crime No.205 of 2023 had directed deposit of amount a sum of Rs.5 lakhs.

3. The learned counsel expressed financial difficulties. He also stated that there is no specific averment against the petitioner. But however the learned Judicial Magistrate had imposed that the condition only on the basis of representation made by the counsel before the learned Judicial Magistrate.

4. Taking into consideration the statement of financial difficulties which probably the petitioner had realized later, the condition is modified to a sum of Rs.4 lakhs.

5. The learned Judicial Magistrate No.II, Alandur may deposit the amount of Rs.4 lakhs in a Fixed Deposit earning interest and on conclusion of the trial, if the petitioner is acquitted may return back the said amount together with accrued interest to the petitioner. But however if the petitioner is convicted of the offence, then it should be handed over to the de-facto complainant together with interest.

17.11.2023

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To

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1. The Inspector of Police,
S8, Adambakkam Police Station,
Adambakkam, Chennai - 600 087.

2. The Judicial Magistrate No.II,
Alandur.

3. The Public Prosecutor,
High Court, Madras.



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C.V.KARTHIKEYAN, J.

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