



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Thirtieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice A.D.JAGADISH CHANDIRA

CRL MP(MD) No.1468 of 2023

IN

CRL OP(MD) No.9624 of 2022

BASANT LAL SHARMA

... PETITIONER/PETITIONER/PETITIONER
/PETITIONER/ ACCUSED NO.3

Vs

THE STATE REP BY,
THE JOINT DIRECTOR OF POLICE
CENTRAL BUREAU OF INVESTIGATION (EOW BRACH),
III FLOOR, EVK SAMPATH, BUILDING,
COLLEGE ROAD, CHENNAI.

(CRIME NO.RCO692018E0008) ...RESPONDENT/RESPONDENT/RESPONDENT
/RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to extend the time to deposit the 1st installment amount Rs.40,00,000/- (Rupees Forty Lakhs only) for a period of one month in pursuant to the order passed by this Honble Court in Crl.MP(MD)No.15615/2022 in Crl.OP(MD)No.9624/2022 dt.20/12/2022 on the file of this Hon'ble court.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S SARAVANAN C S, Advocate for the petitioner and of MR.M.D.POORNACHARI, Special Government Pleader for CBI on behalf of the Respondent, the court made the following order:-

This petition has been filed seeking extension of time to deposit the first instalment amount of Rs.40,00,000/- for a period of one month in pursuant to the order passed by this Court in Crl.M.P.(MD)No.15615 of 2022 in Crl.O.P.(MD)No.9624 of 2022, dated 20.12.2022.

2.The learned Counsel for the petitioner would submit that the petitioner was an accused in Cr.No.64 of 2015, registered by the respondent Police. The petitioner was arrested on 11.11.2021 and filed a petition for bail in Crl.O.P.(MD)No.9624 of 2022. This order, dated 06.09.2022, enlarged the petitioner on bail,



with a condition to deposit a sum of Rs.1 crore and 25 lakh. As the petitioner was unable to deposit such a huge amount, the petitioner had filed a petition, seeking for modification in Crl.M.P.(MD)No.10095 of 2022. This Court, by order, dated 08.09.2022, had modified to the effect that the petitioner shall deposit a sum of Rs.50 lakhs at the time of going out on bail, thereafter, he shall deposit the balance amount within a period of two months. Thereby, the petitioner had paid Rs.50 lakhs and he was let out on bail. After that, the petitioner finding it difficult to pay the balance amount, ie., Rs.75 lakhs, filed a petition in Crl.M.P(MD)No.15615 of 2022 seeking for extension and this Court, by order, dated 20.12.2022 had extended the time and directed the petitioner to pay the first instalment of Rs.40,00,000/- on or before 25.01.2023 and had directed the matter to be posted for reporting compliance on 27.01.2023.

3. When the matter is taken up for hearing, the learned Counsel for the petitioner would submit that since the marriage celebrations of the petitioner's son had been conducted from 21.01.2023 to 28.01.2023, he was unable to raise funds and that he is unable to comply with the order and thereby, he would seek further time of two weeks.

4. The learned Special Public Prosecutor would submit that this is a case, where, extension cannot be given, since the total amount involved in this case is Rs.50 crores. He would further submit that it is a tactics adopted by the petitioner to delay payment having obtained bail by hook or crook by false undertaking and that now the petitioner cannot seek shelter under the garb of seeking extension. He would oppose for grant of extension.

5. Considering the submissions made the learned Counsel for the petitioner, this petition is allowed and the petitioner is directed to pay the amount of Rs.40,00,000/- on or before 13.02.2023.

6. Post the matter on 14.02.2023. If the amount is not paid on or before 13.02.2023, the bail granted by this Court in Crl.O.P.(MD) No.9624 of 2022 shall stand automatically cancelled and the respondent shall take steps to secure the petitioner.

sd/-

30/01/2023

/ TRUE COPY /

/02/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE JOINT DIRECTOR OF POLICE
CENTRAL BUREAU OF INVESTIGATION (EOW BRACH),
III FLOOR, EVK SAMPATH, BUILDING,
COLLEGE ROAD, CHENNAI.

2 THE SPECIAL PUBLIC PROSECUTOR FOR CBI,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.M.D.POORNACHARI, Advocate (SR-1411[I] dated 30/01/2023)

+1 CC to M/s.C.S.SARAVANAN, Advocate (SR-1441[I] dated 31/01/2023)

ORDER

IN

CRL MP(MD) No.1468 of 2023

IN

CRL OP(MD) No.9624 of 2022

Date :30/01/2023

PKP/ /SAR-3/03.02.2023/3P/5C