



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.02.2023

PRESENT

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

CRL.O.P(MD)No.2090 of 2023

WEB COPY

Naveen

...Petitioner/Petitioner

-vs-

State represented by
The Inspector of Police,
Thiruverambur Police Station,
Trichy District.
(in Cr.No.405 of 2022)

...Respondent/Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(B) of Cr.P.C, praying to modify the condition as imposed in CrI.M.P.No.5978 of 2022 dated 12.01.2023 on the file of the Principal District and Sessions Judge, Tiruchirappalli.

For Petitioner : Mr.D.R.Murugesan, Advocate

For Respondent : Mr.M.Veeranthiran
Government Advocate (CrI.side)

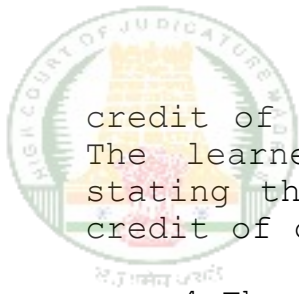
O R D E R

This petition is filed seeking modification of condition imposed in Cr.M.P.No.5978 of 2022 dated 12.01.2023 on the file of the Principal District and Sessions Judge, Trichirappalli.

2.The learned counsel for the petitioner would submit that the petitioner had filed CrI.M.P.No.5978 of 2022 before the lower court and the learned Principal District and Sessions Judge, Tiruchirappalli, by order dated 12.01.2023 had granted anticipatory bail with a direction to deposit a sum of Rs.2 lakhs to the credit of the crime number and to execute a bond for Rs.25,000/- with two sureties.

3. The learned counsel for the petitioner would submit that civil dispute has been converted into a criminal act and the petitioner falsely implicated in this case. He would also submit that the petitioner had been directed to deposit the amount of Rs.2 lakhs on or before 27.01.2023 and the condition imposed by the court below is onerous and he seeks modification of the said condition. He would further submit that without prejudice to his rights and

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credit of crime number before the Judicial Magistrate No.6, Trichy. The learned counsel for the petitioner has filed an affidavit stating that the petitioner is ready to deposit Rs.1 lakh to the credit of crime number before the court.

4. The learned Government Advocate (Crl.side) would submit that the amount involved in this case is Rs.5 lakhs and thereby he would oppose for modification of the condition.

5. Heard and perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to modify the condition No.1 to the effect that the petitioner is directed to deposit Rs.1 lakh to the credit of Crime No.405 of 2022 within a period of two weeks from the date of receipt of a copy of this order. Other conditions shall remain unaltered.

6. With the above modification, this Criminal Original Petition is ordered accordingly.

sd/-
06/02/2023

/ TRUE COPY /

/02/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

cm

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE, TRICHIRAPPALLI.

2. THE JUDICIAL MAGISTRATE NO.6, TRICHY.

3. DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
TRICHY.

4. THE INSPECTOR OF POLICE,
THIRUVERAMBUR POLICE STATION,
TRICHY DISTRICT.

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.D.R.MURUGESAN, Advocate (SR-1881[I] dated 07/02/2023)

ORDER IN
CRL OP(MD) No.2090 of 2023
Date : 06/02/2023