



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 02.03.2023

WEB COPY

CORAM:
THE HONOURABLE MR. JUSTICE A.D. JAGADISH CHANDIRA

Crl.O.P.(MD).No.2664 of 2023

Muthumanickam

...Petitioner/Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Avudaiyarkovil South Police Station,
Pudukkottai District.
Crime No.187 of 2022

...Respondent/Respondent

2.Murugesan

...2nd Respondent

[R2 is suo-motu impleaded vide
order dated 10.02.2023 in Crl.O.P.
(MD)No.2664 of 2023 by ADJCJ]

PRAYER: Criminal Original Petition filed under Section 439(1)(b) r/w 482 of the Cr.P.C., to modify one of the condition imposed by the learned Principal District and Sessions Judge, Pudukkottai in Crl.M.P.No.4360 of 2022, dated 21.12.2022, ie., the petitioner shall deposit a sum of Rs.3,00,000/- in the above said crime number before the concerned Magistrate within three months from the date of that order.

For Petitioner : Mr.S.Sathya Chidambaram

For R1 : Mr.M.Veeranthiran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to modify one of the condition imposed by the learned Principal District and Sessions Judge, Pudukkottai in Crl.M.P.No.4360 of 2022, dated 21.12.2022, ie., the petitioner shall deposit a sum of Rs.3,00,000/- in the above said crime number before the concerned Magistrate within three months from the date of that order.

2.The case of the prosecution is that the petitioner had borrowed a sum of Rs.4,50,000/- from the de-facto complainant for hand loan and given the cheque to the de-facto complainant. Thereafter, the de-facto complainant presented the cheque in the bank, the same was bounced. When the de-facto complainant asked



money to the petitioner, the petitioner has refused to give and criminally intimidated him. Hence, the case.

3.It is seen that the trial Court by order dated 21.12.2022 had granted interim bail on condition that the petitioner was directed to deposit Rs.3,00,000/- to the credit of Crime No.187 of 2022 before the learned Principal District and Sessions Judge, Pudukkottai, within a period of three months from the date of receipt of a copy of that order. Challenging the above said order, the petitioner has filed the present petition before this Court.

4.The learned counsel for the petitioner would submit that the petitioner is a coolie and he is not in a position to mobilize the funds and hence, he has filed the present petition with the above said prayer.

5.The learned Government Advocate (Crl. side) would submit that in pursuance of the direction of the trial court, the petitioner has not complied with the condition till date. He would further submit that the conditions imposed by the trial Court are reasonable and hence, he would object for allowing this petition.

6.Heard. Perused the materials available on record.

7.Taking into consideration the facts and the submissions and that the petitioner has not complied with the condition imposed by the learned Principal District and Sessions Judge, Pudukkottai in Crl.M.P.No.4360 of 2022, dated 21.12.2022, this Court is not inclined to allow this petition.

8.Accordingly, this Criminal Original Petition is dismissed.

sd/-
02/03/2023

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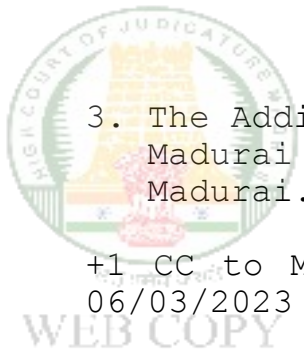
/03/2023

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

sjj

To

1. The Principal District and Sessions Judge, Pudukkottai.
2. The Inspector of Police,
Avudaiyarkovil South Police Station,
Pudukkottai District.



CrI.O.P.(MD).



23

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.KARTHICK SEVUGAPERUMAL, Advocate (SR-3486[I] dated
06/03/2023)

ORDER
IN
CrI.O.P.(MD).No.2664 of 2023
DATE :02.03.2023

NA/BUC/SAR-4/20.03.2023/3P/5C