



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

Wednesday, the Twenty Ninth day of March Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.5092 of 2023

IN

CRL OP(MD) No.1842 of 2023

DHIVYAPRAKASH

... PETITIONER/PETITIONER

Vs

1 THE STATE REP.BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
THANJAVUR,
(CRIME NO. 24 OF 2022)

2 SUGANYA

... RESPONDENTS/RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to set aside the condition with regard to the petitioner shall return the car, which was registered in the name of the de-facto complainants father-in-law and the produce the receipt/acknowledgement before the learned Magistrate on or before 20.03.2023, failing which, the anticipatory bail already granted, shall dismissed automatically" and modify the same in CRL OP(MD) No.1842 of 2023 by order dated 06.03.2023 and modify the same.

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.SIVASUBRAMANIAN A, Advocate for the petitioner and of M/S.B.Thanga Aravindh, Government Advocate (Crl.Side) on behalf of the Respondent No.1, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to set aside the condition with regard to "the petitioner shall return the car, which was registered in the name of the de-facto complainant's father-in-law and produce the receipt/acknowledgement before the learned Magistrate on or before 20.03.2023, failing which, the anticipatory bail already granted, shall stands dismissed automatically" and modify the same in Crl.O.P.(MD)No.1842 of 2023 by order dated 06.03.2023.



2.This Court, by order dated 06.03.2023, has granted anticipatory bail to the petitioner on condition that the petitioner shall return the car, which was registered in the name of the de-facto complainant's father-in-law and produce the receipt/acknowledgement before the learned Magistrate on or before 20.03.2023, failing which, the anticipatory bail already granted, shall stand dismissed automatically.

3.The learned counsel for the petitioner would submit that the subject car met with an accident even before granting anticipatory bail by this Court and it was in the work shop. Therefore, the petitioner could not able to return the car as directed by this Court. That apart, the repair work was done to the tune of Rs.1,15,000/- and so far the petitioner has paid a sum of Rs.1,00,000/- and he is ready to pay the remaining amount also. Therefore, he could not able to produce the sureties.

4.Considering the above facts and circumstances, the condition already imposed on the petitioner in Para No.5(b) of the condition in Crl.O.P.(MD)No.1842 of 2023, dated 06.03.2023, is modified as follows:-

"5.....(b) the petitioner shall pay a sum of Rs.1,00,000/- to the second respondent in order to take back the car from the work shop. Further, the second respondent is permitted to take the car from the work shop and production of this order. On production of such payment of receipt, the petitioner shall execute warrant within a period of two weeks."

All other conditions in the said order shall remain unaltered.

5.The time for surrender and execution of sureties is extended by two weeks.

6.Accordingly, the Criminal Miscellaneous Petition is allowed.

sd/-
29/03/2023

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/04/2023

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

sj1



TO

1 THE ADDITIONAL MAHILA JUDGE, THANJAVUR.

2 THE SUB INSPECTER OF POLICE,
ALL WOMEN POLICE STATION, THANJAVUR,

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

+1 CC to M/s.A.SIVASUBRAMANIAN, Advocate (SR-5074[I] dated
29/03/2023)

+1 CC to M/s.T.A.EBENEZER, Advocate (SR-5169[I] dated 30/03/2023)

ORDER

IN

CRL MP (MD) No.5092 of 2023

IN

CRL OP (MD) No.1842 of 2023

Date :29/03/2023

RK/CG/SAR-4 (10/04/2023) 3P/6C