



Crl.O.P.(MD) No.8687 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.05.2023

CORAM

THE HONOURABLE MR. JUSTICE R. KALAIMATHI

CRL.O.P (MD) No.8687 of 2023

1.Senthil Kumar
2.Petchimuthu

... Petitioners

Vs

The State rep. By,
The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
(Crime No.174 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to modify the condition no.(ii) imposed by the Principal Sessions Court, Thoothukudi in above Crl.M.P.NO.2681 of 2023 vide its order dated 28.02.2023 on the file of the Court.

For Petitioners : Mr.M.U.Mohammed Aslam
M/s.Ajmal Associates

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)



Crl.O.P.(MD) No.8687 of 2023

ORDER

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This petition is filed to modify the condition no.(ii) imposed by the learned Principal Sessions Judge, Thoothukudi in Crl.M.P.NO.2681 of 2023, dated 28.02.2023.

2. The learned counsel appearing for the intervener would submit that taking into account of the damages caused to the vehicles namely a car and lorry, the learned Principal Sessions Judge, Thoothukudi, has ordered to deposit a sum of Rs.50,000/- each as cash security before the learned Judicial Magistrate No.II, Kovilpatti.

3.The learned counsel for the petitioner would vehemently contend that they are coolies and they are not in a position to deposit such a huge amount and they are still in judicial custody, though order was passed on 28.04.2023.

4. The learned Government Advocate(Crl.side) would submit that taking into consideration the gravity of the offence, such an amount was ordered to be deposited by the Court mentioned supra.



Crl.O.P.(MD) No.8687 of 2023

WEB COPY

4.Considering the submissions of the learned counsels for the intervenor, petitioner and also the learned Government Advocate (Crl.side) and in the interest of justice, the condition imposed by the learned Judicial Magistrate No.II, Kovilpatti directing the petitioners to deposit a sum of Rs.50,000/- each as cash security is modified to the effect that the petitioners shall deposit a sum of Rs.30,000/- each to the credit of Crime No.174 of 2023 on the file of the respondent police. All other conditions shall remain unaltered.

4. With the above direction, the Criminal Original Petition is ordered.

11.05.2023

NCC : Yes / No
Internet: Yes./No
Index: Yes/no

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Note: Issue order copy on 12.05.2023

3/5



CrI.O.P.(MD) No.8687 of 2023

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To

- 1.The Principal Sessions Judge, Thoothukudi.
- 2.The Inspector of Police,
Kovilpatti West Police Station,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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Crl.O.P.(MD) No.8687 of 2023

R. KALAIMATHI, J.

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Order made in
CRL.O.P (MD) No.8687 of 2023

11.05.2023