



WEB COPY



Crl.O.P.(MD)No.14152 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.14152 of 2023

Sanmugananthan

... Petitioner/ Accused No.1

Vs.

State rep. by

The Inspector of Police,
Karaikudi Police Station,
Sivagangai District.

Crime No.165/2023

... Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 439(1)(b) and 482 of Cr.P.C, to modify the 1st condition in Crl.M.P.No.2867 of 2023, dated 21.07.2023, as to deposit a sum of Rs.2,00,000/- to the credit of the crime number instead of the petitioner shall deposit a sum of Rs.5,00,000/- to the credit of Crime No.165 of 2023 before the learned Judicial Magistrate, Karaikudi and the 4th condition as to report and sign before the Town police Station, Sivagangai instead of report and sign before the respondent police station daily at 10.00 a.m. for the period of one month.

For Petitioner : Mr.C.Susi Kumar, Advocate

For Respondent : Mr.R.Suresh Kumar
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking to modify the 1st condition in Crl.M.P.No.2867 of 2023, dated 21.07.2023, as to deposit a sum of Rs.2,00,000/- to the credit of the crime number instead of the petitioner shall deposit a sum of Rs.5,00,000/- to the credit of Crime No.165 of 2023 before the learned Judicial Magistrate, Karaikudi and the 4th condition as to report and sign before the Town



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police Station, Sivagangai instead of report and sign before the respondent police station daily at 10.00 a.m. for the period of one month.

2.The learned counsel for the petitioner would submit that as per the case of prosecution the petitioner along with his wife have received Rs.7,00,000/- from the defacto complainant for securing job. While granting anticipatory bail to the wife, by the order dated 30.06.2023 in Crl.O.P.(MD).No.11708 of 2023, this court directed her to deposit a sum of Rs.5,00,000/- to the credit of the crime number. Therefore, as per the prosecution case the balance amount is only Rs.2,00,000/-. But, while granting anticipatory bail to the first accused Sanmuganathan, in Crl.M.P.No.2867 of 2023, the Principal Sessions Judge, Sivagangai, directed him to deposit Rs.5,00,000/- to the credit of crime number before the trial Court. Being a senior citizen and since he is retired from his service, he is ready to deposit the balance amount of Rs.2,00,000/- instead of Rs.5,00,000/-. Hence, he requests to modify the condition to that effect. He would further submit that since he apprehends life threat at the hands of defacto complainant in Karaikudi, he may be permitted to appear before the Sivagangai Town Police Station.

3.It appears that the condition imposed upon the wife while granting of anticipatory bail to her, was not brought to the knowledge of the trial Court while passing the above said order.



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4.Considering the submission on either side and considering the facts and circumstances of the case, the condition imposed upon the petitioner is modified to the effect that the petitioner shall deposit a sum of 'Rs.2,00,000/-' to the credit of crime number instead of 'Rs.5,00,000/-'. Also the petitioner is directed to appear before the 'Inspector of Police, Sivagangai Town Police Station, Sivagangai' instead of 'respondent police'. The other conditions remain unchanged.

5.With the above said modifications, this criminal original petition stands disposed of.

sd/-
03/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1 THE PRINCIPAL SESSIONS JUDGE, SIVAGANGAI.

2 THE JUDICIAL MAGISTRATE, KARAIKUDI.

3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, SIVAGANGAI DISTRICT.

4 THE INSPECTOR OF POLICE, KARAIKUDI POLICE STATION,
SIVANGAI DISTRICT.



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

COPY TO

THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI.

ORDER

IN

CRL OP(MD) No.14152 of 2023

Date :03/08/2023

RS/BUC/SAR-(08.08.2023) 4P 7C
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