



WEB COPY



CrI.O.P.No. 805 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.01.2024

CORAM

THE HONOURABLE MR. JUSTICE **C.V.KARTHIKEYAN**

CRL.O.P.No.805 of 2024

V. Aravind

.. Petitioner

Vs.

The State Rep. by
The Superintendent of Police,
K-3 Aminjikarai Police Station,
Chennai.
(Crime No.233 of 2023)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439 (1) (b) r/w 483 of Cr.P.C. to modify the condition imposed against the petitioner with respect to “ The Petitioner will be released on bail by depositing the amount for a sum of Rs.5,00,000/- in this Crime Number “mentioned in Para No.5(a) of CrI.M.P.No.50210 of 2023 by Hon'ble V Metropolitan Magistrate, Egmore Order dated 06.11.2023.

For Petitioner : Mr.R. Thirumoorthy

For Respondent: Mr.R. Vinothraja
Government Advocate



WEB COPY



Crl.O.P.No. 805 of 2024

ORDER

Criminal Original Petition has been filed to modify the condition imposed against the petitioner with respect to “ The Petitioner will be released on bail by depositing the amount for a sum of Rs.5,00,000/- in this Crime Number “mentioned in Para No.5(a) of Crl.M.P.No.50210 of 2023 by V Metropolitan Magistrate, Egmore Order dated 06.11.2023.

2. The petitioner had been remanded to judicial custody on 04.09.2023. Thereafter, since the respondent had not filed a final report an application was made in Crl.M.P.No.50210 of 2023 taking advantage of the provisions under Section 167(ii) of Cr.P.C. The said provision of law is clear. It is straight forward. The respondent had not filed a final report within a period of 60 days. The learned Magistrate had directed the petitioner to deposit a sum of Rs.5,00,000/- in the Crime Number.233 of 2023 and execute a bond by himself along with two solvent sureties for Rs.25,000/-. The properties have not yet been recovered. That may be a reason for the learned Magistrate to impose such a condition.



Crl.O.P.No. 805 of 2024

WEB COPY

3. In view of that particular fact and in view of provisions of law, the said condition in para no.5 (a) is deleted in the order passed in Crl.M.P.No.50210 of 2023 dated 06.11.2023. All other conditions remains intact.

4.This Criminal Original petition is ordered.

24.01.2024

smn

To.

1. The V Metropolitan by Magistrate, Egmore
2. The Superintendent of Police,
K-3 Aminjikarai Police Station,
Chennai,(Crime No.233 of 2023)



WEB COPY



Crl.O.P.No. 805 of 2024

C.V.KARTHIKEYAN, J.

smn

Crl.O.P.No.805 of 2024

24.01.2024