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CrI.O.P.No.4559 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HON'BLE MR.JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.4559 of 2024

S.Samraj

... Petitioner

Vs.

State represented by,
The Inspector of Police,
CBI/ACB/Chennai.

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, pleased to modify the condition in paragraph 10(b) "the petitioner shall furnish bank guarantee of Rs.10 lakhs towards his prompt return and the same shall be revoked on his prompt return" imposed in order dated 12.12.2023 in CrI.M.P.No.10447 of 2023 passed by the learned XI Additional City Civil and Sessions Judge, Chennai.

For Petitioner : Mr.Vivekananthan.R

For Respondent : Mr.K.Srinivasan
Special Public Prosecutor for CBI



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ORDER

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The Criminal Original Petition has been filed seeking to modify the condition 10(b) of the order in CrI.M.P.No.10447 of 2023 dated 12.12.2023 passed by the learned XI Additional City Civil and Sessions Judge, Chennai.

2. Learned counsel for the petitioner submitted that the petitioner had filed a petition in CrI.M.P.No.10447 of 2023 seeking permission to travel abroad with his passport bearing NO.Y7563758 and the learned trial Judge, while allowing the petition had imposed certain conditions. He further submitted that one of the conditions i.e. 10(b) is that the petitioner shall furnish bank guarantee of Rs.10lakhs towards his prompt return and the same shall be revoked on his prompt return, whereas, despite his best efforts, the petitioner is unable to raise Rs.10 lakhs and thereby, the present petition has been filed seeking to modify the same. He also submitted that the petitioner, in an alternate, is ready to deposit the original title deeds of the immovable property worth about Rs.10lakhs either belonging to himself or family members or friends. Hence, he prayed for suitable orders.



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3. Learned Special Public Prosecutor for CBI submitted that only to insist for the prompt return of the petitioner, said condition has been imposed. He further submitted that the prompt return can be ensured by complying with the other conditions imposed in CrI.M.P.No.10447 of 2023 dated 12.12.2023.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, the condition 10(b) imposed by the learned XI Additional City Civil and Sessions Judge, Chennai in CrI.M.P.No.10447 of 2023 vide order dated 12.12.2023 is modified as follows :-

"10.(b) the petitioner shall deposit the original title deeds of the unencumbered immovable property worth about Rs.10lakhs either belonging to himself or family members or friends and the same shall be returned to the petitioner on his prompt return;

It is made clear that the other conditions imposed shall remain unaltered.



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A.D.JAGADISH CHANDIRA, J.

ham.

5. Accordingly, this Criminal Original Petition stands ordered.

27.02.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To

1. The XI Additional City Civil and Sessions Judge,
Chennai.
2. The Inspector of Police,
CBI/ACB/Chennai.
3. The Special Public Prosecutor for CBI,
High Court of Madras.

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