



Crl.O.P.No.4958 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2024

CORAM

THE HON'BLE MR. JUSTICE C.V.KARTHIKEYAN

Crl.O.P.No.4958 of 2024

Mujibullah Sherif

... Petitioner

Vs.

State rep. by its,
The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.

(Crime No.55 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., prayed to modify the condition in order para 6(a) imposed on the petitioner by the learned Principal District Judge at Dharmapuri in C.M.P.No.407 of 2024 on 20.02.2024.

For Petitioner : Mr.D.Dayalan

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



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ORDER

This petition has been filed seeking to modify the condition 6(a) of the order dated 20.02.2024 in Crl.M.P.No.407 of 2024 passed by the learned Principal District Judge, Dharmapuri. By the said order, the learned Principal District Judge, Dharmapuri, granted bail to the petitioner in Crime No.55 of 2024, registered for the offences under Section 328 of IPC, 1860 and Section - 7 & 20(2) of Cigarette and other Tobacco Products Acts, 2003, with certain conditions.

2.However, the condition in class 6(a), the Principal District Judge, Dharmapuri, had additionally directed the petitioner to deposit a sum of Rs.6,09,060/- to the Mediation and Conciliation Centre at Dharmapuri, without prejudice to his defense. However, the learned counsel for the petitioner had assailed the said condition, claiming to be onerous, particularly, the petitioner seeks bail.



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3.It is stated that the total value of the goods had been ascertained by the learned Principal District Judge, Dharmapuri, at one half of the sum had to be paid by the petitioner and another half had been reserved to be paid by the second accused.

4.Without entering detailed arguments about the rational discussion of such condition, I am inclined to modify the said condition namely Clause 6(a). Accordingly, this petition is ordered to the effect that the petitioner shall deposit a sum of **Rs.50,000/- (Rupees Fifty Thousand only)** to the credit of the Dean, Government Medical College and Hospital, Dharmapuri, for treatment of needy patients.

01.03.2024

rjr

Note:
Issue order copy on 01.03.2024.



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C.V.KARTHIKEYAN, J.

rjr

To

- 1.The Principal District Judge at Dharmapuri.
- 2.The Inspector of Police,
Dharmapuri Town Police Station,
Dharmapuri District.
3. The Public Prosecutor,
High Court of Madras.

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