



Crl.O.P.No.5765 of 2024

In the High Court of Judicature at Madras

Dated : 13.3.2024

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Criminal Original Petition No.5765 of 2024

Sakthivel

...Petitioner

Vs

The State rep.by
The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram District.

...Respondent

PETITION under Section 482 of the Criminal Procedure Code praying to set aside the condition imposed in paragraph 1 of the bail order dated 01.3.2024 in Crl.M.P.No.604 of 2024 passed by the learned Principal Sessions Judge of Kancheepuram District at Chengalpattu thereby directing the petitioner to produce a demand draft for Rs.60,000/- (Rupees sixty thousand only) payable to the Chairman/District Collector, District Mineral Foundation Trust of Kancheepuram District (Non Refundable) before the Judicial Magistrate No.2, Kancheepuram.



Crl.O.P.No.5765 of 2024

For Petitioner : Mr.G.Mageshkumar
For Respondent : Mr.A.Gopinath, GA (Crl.Side)

ORDER

This is a petition filed by the petitioner challenging one of the conditions that was imposed by the learned Principal Sessions Judge, Kancheepuram District at Chengalpattu directing the petitioner to produce a demand draft for a sum of Rs.60,000/- while granting bail to the petitioner in Crl.M.P.No.604 of 2024 dated 01.3.2024 in Crime No. 182 of 2024 on the file of the respondent.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

3. The petitioner, who has been arrayed as A1, is the lorry driver and he was intercepted and the illegal sand was seized. He was arrested in the course of investigation in the said crime number and was remanded to judicial custody on 22.2.2024. The petitioner filed a bail petition before the Court below in Crl.M.P.No.604 of 2024. Further, the petitioner was enlarged on bail by order dated 01.3.2024.



Crl.O.P.No.5765 of 2024

4. However, the petitioner is aggrieved by one of the conditions imposed by the Court below in the said order dated 01.3.2024, which is extracted as hereunder :

"The petitioner/accused is directed to produce a demand draft for Rs.60,000/- (Rupees sixty thousand only) payable to the Chairman/District Collector, the District Mineral Foundation Trust of Kancheepuram District (Non Refundable) before the Judicial Magistrate No.2, Kancheepuram."

5. It is brought to the notice of this Court that the owner of the vehicle - one Mr.M.Suresh (a) Laddu Suresh approached this Court by filing Crl.O.P.No.4999 of 2024 and sought for anticipatory bail, that the anticipatory bail was granted by this Court by order dated 01.3.2024 by imposing certain conditions, that one such condition imposed was that the said Mr.M.Suresh (a) Laddu Suresh, who is the owner of the vehicle, should deposit a sum of Rs.40,000/- to the District Revenue Officer, Kancheepuram District within two weeks from the date of receipt of the order dated 01.3.2024 in Crl.O.P.No.4999 of 2024, that the copy of the order passed by this Court has been received only today i.e 13.3.2024 and that the said Mr.M.Suresh (a) Laddu Suresh is supposed to comply with the said condition.



Crl.O.P.No.5765 of 2024

6. In the light of the above condition imposed against the owner of the vehicle, who was granted anticipatory bail by this Court, the petitioner need not be mulcted with the deposit of the said sum of Rs.60,000/- since he is inside the jail from 22.2.2024 onwards.

7. Accordingly, the first condition imposed by the Court below in the order dated 01.3.2024 in Crl.M.P.No.604 of 2024 is hereby set aside. All the other conditions imposed by the Court below shall stand as it is.

8. The above criminal original petition is allowed in the above terms.

13.3.2024

RS



WEB COPY



Crl.O.P.No.5765 of 2024

N.ANAND VENKATESH,J

RS

To

- 1.The Principal Sessions Court,
Kancheepuram District at
Chengalpattu.
- 2.The Chairman/District Collector,
District Mineral Foundation Trust,
Kancheepuram District (Non
Refundable).
- 3.The Judicial Magistrate No.2,
Kancheepuram.
- 4.The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram District.
- 5.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.5765 of 2024

13.3.2024

5/5