



WEB COPY



CrL.OP.No.10295 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrL.OP.No.10295 of 2024

M.Balakrishnan

... Petitioner

Vs.

The State rep by
The Inspector of Police,
District Crime Branch Police Station,
Kancheepuram District.
Cr.No.18 of 2023.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, prayed to set aside the condition directing the petitioner herein to deposit a sum of Rs.3,20,000/- before the learned Judicial Magistrate No.1, Kancheepuram as imposed in Para 6(3) of the bail order dated 22.12.2023 in CrL.MP.No.2649 of 2023 made by the learned Principal District and Sessions Court-II, Kancheepuram.

For Petitioner : Mr.G.Mageshkumar

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (CrL.Side)



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ORDER

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2. The petitioner stands investigated for the offences under Sections 406 and 420 of IPC who was taken into custody on 21.10.2023. When he sought for bail, the District and Sessions Court-II, Kancheepuram, taking note of the fact that even after lapse of 62 days, final report not filed, had granted bail on certain conditions. One such conditions is to deposit a sum of Rs.3,20,000/-, the petitioner has not able to mobilize the money and hence unable to comply with the said condition, he is still in prison.

3. The learned counsel for the petitioner states that the condition to deposit a sum of Rs.3,20,000/- is onerous and in case of a default bail, such onerous condition ought not to have been imposed.

4. This Court on considering the nature of the complaint and the duration of incarceration of the petitioner is of the view that the petitioner



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is entitled for bail on reasonable condition that the petitioner shall deposit a sum of Rs.3,20,000/- is onerous as far as this case is concerned. Hence, that condition alone which form part of the order passed by the District Sessions Court in CrL.MP.No.2649 of 2023 dated 22.12.2023 is set aside. The petitioner shall comply the other conditions and seek for release on bail.

5. With the above direction, this Criminal Original Petition is disposed of.

Vv

29.04.2024

To

1. The Principal District and Sessions Court-II,
Kancheepuram.
2. The Judicial Magistrate No.1,
Kancheepuram
3. The Inspector of Police,
District Crime Branch Police Station,
Kancheepuram District.
4. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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