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Crl.O.P.No.32578 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.12.2024

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

Crl.O.P.No.32578 of 2024

S.Yuvaraj

Vs

.... Petitioner

State Rep. by
Sub-Inspector of Police,
Tirupattur Town Police Station,
Tirupattu.

In Crime No.481 of 2024

..... Respondent

Prayer: Criminal Original Petition is filed under Section 483 (1)(b) of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to modify the condition that the petitioner should deposit a sum of Rs.2,00,000/- before the Judicial Magistrate No.1, Tirupattur in Cr.No.482 of 2024 imposed in the order dated 19.12.2024 in Crl.M.P.No.1381 of 2024 on the file of the District and Sessions Judge, Tirupattur.

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

ORDER

This Petition has been filed to modify the condition imposed on the petitioner in Crl.M.P.No.1381 of 2024 by an order dated 19.12.2024 passed by the District and Sessions Judge, Tirupattur, directing the petitioner to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) before the Judicial Magistrate



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No.I, Tirupattur. Upon depositing the amount, the learned Judicial Magistrate

No.I, Tirupattur, Ambur shall accept the sureties furnished by the petitioner,

Subsequently, the deposited amount shall be invested in any nationalized bank, and after the disposal of the case, the amount shall be dealt with in accordance with the judgment of the court.

2. The learned counsel appearing for the petitioner would submit that the learned District and Sessions Judge, Tirupattur, while granting bail to the petitioner, imposed a condition directing the petitioner to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) before the Judicial Magistrate No.I, Tirupattur. He would submit that the said amount was directed to be paid only considering the fact that the vehicle was in the custody of the petitioner. However, the vehicle was already been handed over to the defacto complainant on 04.12.2024. He also further submitted that the petitioner has suffered incarceration for the past 40 days and he is suffering pecuniary and he is not in a position to pay huge amount of Rs.2,00,000/- immediately. Therefore, he insists for modifying the condition 5(b) imposed in Crl.M.P.No.3681 of 2024 dated 04.12.2024.

3. Heard the learned counsel appearing on either side and perused the



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materials available on record.

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4. In view of the above, the condition 5(b) imposed on the petitioner in Crl.M.P.No.1381 of 2024 by an order dated 19.12.2024 passed by the learned Principal District and Sessions Judge, Tirupattur, is modified to the effect that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand only) before the learned Judicial Magistrate No.I, Tirupattur. On such deposit being made, the learned Judicial Magistrate No.I, Tirupattur, Ambur shall accept the sureties furnished by the petitioner. However, it is made clear that the petitioner shall pay another amount of Rs.50,000/- within 20 days from the date of release. The other conditions shall remain unaltered.

5. With the above direction, this Criminal Original Petition stands ordered.

27.12.2024

Index : Yes/No
Internet : Yes/No

dpa/skr

L.VICTORIA GOWRI, J.

dpa/skr



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To
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1. The Judicial Magistrate No.I,
Tirupattur

2.The Sub-Inspector of Police,
Tirupattur Town Police Station,
Tirupattur.

3.The Public Prosecutor,
High Court, Madras.

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