



Crl.O.P.(MD)No.1345 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.1345 of 2024

Palanisamy

... Petitioner/ Accused No.2

Vs.

State Rep. by
The Inspector of Police,
Samayapuram Police Station,
Trichy.
Crime No.281 of 2023

... Respondent /Respondent

PRAYER : Criminal Original Petition filed under Section 438(i)(b) r/w 482 of the Code of Criminal Procedure, to modify the condition imposed on the petitioner by the learned III Additional District and Sessions Judge, Principal District and Sessions Judge (FAC), Tiruchirappalli in Cr.M.P.No.6109 of 2023, dated 24.11.2023 insofar as depositing a sum of Rs.40,000/- to the credit of the case in crime number.

For Petitioner : Mr.M.Suresh,Advocate

For Respondent : Mr.S.Manikandan
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed on the petitioner by the learned III Additional District and Sessions Judge, Principal



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District and Sessions Judge (FAC), Tiruchirappalli in Cr.M.P.No.6109 of 2023, dated 24.11.2023 insofar as depositing a sum of Rs.40,000/- to the credit of the case in crime number.

2.The case of the prosecution is that the petitioner's wife/A1 has induced the defacto complainant that she will be getting a Sanitary Worker job in Mirifical Careers and had received a sum of Rs.1,10,000 and thereafter neither secured any job nor repaid the said amount. Hence, the case.

3.The learned counsel for the petitioner would submit that the petitioner is the husband of A1 and A1 received a sum of Rs.1,10,000/- from the defacto complainant, in which, the petitioner has unnecessarily roped in in the present case and he has nothing to do with the alleged offence. However, imposing a condition of Rs.40,000/- to the petitioner by the trial Court is onerous and hence, he prays for modification of the said condition.

4.The learned Government Advocate (Crl. side) appearing for the State would submit that the Court below, after considering all aspects, rightly imposed the condition, which does not warrant any interference by this Court. Hence, he would oppose for allowing this petition.

5.Considering the above facts and circumstances of the case and also considering the fact that the trial Court has rightly imposed the condition on the



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petitioner to deposit Rs.40,000/- to the credit of the crime number, which is just and reasonable, this Court is not inclined to allow this petition.

6.Accordingly, this Criminal Original Petition is dismissed. The time for execution of sureties is extended by two weeks from the date of receipt of a copy of this order.

sd/-
31/01/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI

TO

- 1 THE III ADDITIONAL DISTRICT
AND SESSIONS JUDGE, PRINCIPAL DISTRICT AND
SESSIONS JUDGE (FAC), TIRUCHIRAPPALLI.
- 2 THE INSPECTOR OF POLICE
SAMAYAPURAM POLICE STATION,
TRICHY.



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3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL OP(MD) No.1345 of 2024
Date :31/01/2024

PKP/JGB/SAR /05.02.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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