



CRL MP(MD) No.4190 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Eighth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.4190 of 2024

IN

CRL OP(MD) No.23179 of 2023

SUBRAMANIAN @ SUBRAMANI (S.S.MANI) ... Petitioner / Petitioner

Vs

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
THOOTHUKUDI DISTRICT.
(CRIME NO.41 OF 2023)

... Respondent / Respondent

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to modify the para Nos.6 (c) the petitioner is directed to deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) to the credit of Crime no.41 of 2023 before the learned Judicial Magistrate No.IV, Thoothukudi and on such deposit, the learned Magistrate shall disburse a sum of Rs.2,00,000/- to the defacto complainant and a sum of Rs.2,00,000/- to another victim after obtaining a proper affidavit. In the event of petitioner succeeding in the present case, the amount will be refunded to him condition as per order passed in CrI.O.P.(MD) No.23179 of 2023 dated 20.01.2024.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.KRISHNASAMY.P, Advocate for the petitioner and of Mr.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent, the Court made the following order:-



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This petition is filed to modify the condition in paragraph No.6(c) of the order dated 09.01.2024, passed in Crl.O.P.(MD)No.23179 of 2023, in and by which the petitioner was directed to deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only) to the credit of Crime No.41 of 2023, before the learned Judicial Magistrate No.IV, Thoothukudi and on such deposit, the learned Magistrate was directed to disburse a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the defacto complainant and a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the victim after obtaining a proper affidavit.

2. The learned counsel for the petitioner submits that Crl.O.P.(MD)No.1843 of 2024, which has been filed for transfer of investigation, has to be listed along with this Petition. This Court is not accepting this request on the ground that this is only an application for modification and it appears that the earlier direction was issued by this Court in Crl.O.P. (MD)No.23179 of 2023 on the consent of the parties.

3. There is no reason to modify the order of this Court, dated 09.01.2024, in Crl.O.P. (MD)No.23179 of 2023. Hence, this Criminal Miscellaneous Petition is dismissed. The petitioner has to work out his remedy in the manner known to law.

sd/-
08/04/2024

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/04/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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- 1.The Judicial Magistrate No.IV,
Thoothukudi.
- 2.Do through the Chief Judicial Magistrate,
Thoothukudi District.
- 3.The Inspector of Police,
DCB Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL MP(MD) No.4190 of 2024
IN
CRL OP(MD) No.23179 of 2023
Date :08/04/2024

ED/ GS /SAR- (16/04/2024) 3P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
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