



CRL MP(MD) No.4180 of 2024

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

Wednesday, the Seventeenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD) No.4180 of 2024

IN

CRL OP(MD) No.1748 of 2024

JEYAGOPAL

... PETITIONER/SOLE ACCUSED

Vs

THE SUB- INSPECTOR OF POLICE
THISAYANVILAI POLICE STATION,
TIRUNELVELI DISTRICT.

... RESPONDENT/COMPLAINANT

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 anticipatory Bail condition of the petitioner to deposit Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand only) to the credit of Crime no.402 of 2023 on the file of Respondent Police Station instead of paying a sum of Rs.35,000/- (Rupees Three Lakhs and Fifty Thousand only) through demand draft in favour of the Defacto complainant.

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 MR.G.ANTO PRINCE, Advocate for the petitioner and of MR.P.KOTTAICHAMY, Government Advocate(Crl.side) on behalf of the Respondent and MR.B.N.RAJA MOHAMED, Advocate for the Intervener, the court made the following order:-

This petition is filed seeking modification of Condition No.b in Crl.OP

(MD) No.1748 of 2024.

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2.While granting bail to the petitioner, this Court has imposed a condition that the petitioner has to pay a sum of Rs.3,50,000/- to the defacto complainant.

3.The learned counsel for the petitioner submitted that in the event of payment made to the defacto complainant, it would be difficult to get the amount back from the defacto complainant, if the trial goes in favour of the petitioner. In this case, charge sheet is yet to be filed. Hence, he prays to modify the said condition.

4.Considering the above submission, the aforesaid condition is modified to the effect that the petitioner shall deposit the said amount of Rs.3,50,000/- before the concerned Magistrate to the credit of Cr.No.402 of 2023, on the file of Thisayanvilai Police Station within a period of two weeks, from the date of receipt of copy of this order.

5.The trial Court has to take a call on this amount, while disposing the trial. In the event, if the respondent Police files a negative report, the petitioner is at liberty to approach the concerned Magistrate to get back the said amount. In the event, if the respondent Police files a positive report, the trial Court shall take a call



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on this amount as per Section 452 of Cr.P.C.

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6. With the above modifications, this Criminal Miscellaneous Petition is ordered.

sd/-
17/04/2024

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/04/2024

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

pnm

TO

1 THE JUDICIAL MAGISTRATE,
RATHAPURAM, TIRUNELVELI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL
MAGISTRATE, TIRUNELVELI DISTRICT.

3 THE SUB INSPECTOR OF POLICE
THISAYANVILAI POLICE STATION, TIRUNELVELI DISTRICT.

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

+1 CC to M/s.G.ANTO PRINCE, Advocate (SR-4612[I] dated 18/04/2024)

ORDER IN
CRL MP(MD) No.4180 of 2024
IN CRL OP(MD) No.1748 of 2024
Date :17/04/2024

RK/JGB (25/04/2024) 3P / 6C

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