



Crl.O.P(MD).No.13109 of 2024

WEB COPY

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

DATED : 12.08.2024

CORAM :

THE HON'BLE MR JUSTICE D. BHARATHA CHAKKARAVARTHY

Crl.O.P(MD).No.13109 of 2024

Seenivasan

... Petitioner / Accused

Vs.

The State rep. by
The Inspector of Police,
Somanathapuram Police Station,
Sivagangai,
(Crime No.54 of 2024)

... Respondent / Complainant

PRAYER:- Criminal Original Petition filed under Section 483(1)(b) of BNSS 439(1) (b) of Cr.P.C., to modify the condition imposed by an order, dated 05.08.2024 made in Crl.M.P.No.2006 of 2024 on the file of the Principal Sessions Judge, Sivagangai directing the petitioner to deposit a sum of Rs.13,50,000/- as non refundable deposit to the account of President / Treasure, Bar Association, Sivagangai is concerned.

For Petitioner : Mr.M.Jerrin Mathew, Advocate

For respondent : Mr.R.M. Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks modification for the condition imposed by the learned
Principal Sessions Judge, Sivagangai in Crl.M.P.No.2006 of 2024, dated 05.08.2024,



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while granting bail to the petitioner, who is the Accused No.1 in the case in Crime No.54 of 2024, on condition to deposit a sum of Rs.13,50,000/- as non refundable deposit to the account of President / Treasure, Bar Association, Sivagangai with the further direction that the said amount to be utilized for the purpose of setting up libraries for young advocates.

2. If the petitioner is a dealer in tobacco products the appropriateness of imposing such a condition can be considered by the Court, but, in this case, the learned counsel for the petitioner represents that the petitioner unknowingly rented out his to the Accused No.2 viz., Tilokram, S/o. Annaram in Crime No.185 of 2024, on the file of the Karaikudi South Police Station and the said person in collusion with the other accused in Crime No.54 of 2024 are only conducting the business. The petitioner herein believing their version that they are only conducting a candy business rented out the house. The petitioner does not know about the conduct of the said Tobacco business.

3. The learned Additional Public Prosecutor on instructions would submit that this person is only the landlord and is not involved in the actual business of Tobacco products.

4. Therefore, though his complicity whether he is knowingly let out the premises for trading tobacco products is to be ascertained. This is not a fit case



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where such a condition should have been imposed to deposit a sum of Rs.13,50,000/-, especially, when the petitioner is arrested and is seeking for bail.

5. Accordingly, the order of the learned Principal Sessions Judge, Sivagangai, dated 05.08.2024 made in Crl.M.P.No.2006 of 2024 is hereby set aside with reference to the condition to deposit the amount of Rs.13,50,000/- alone and the other conditions imposed on the grant of bail to the petitioner remains un-altered.

6. This Criminal Original Petition is ordered accordingly.

sd/-
12/08/2024

/ TRUE COPY /

/08/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TRP

To

1.The Principal Sessions Judge,
Sivagangai.

2.The Judicial Magistrate,
Karaikudi.

3.Do through the Chief Judicial Magistrate,
Sivagangai District.



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4.The Inspector of Police,
Somanathapuram Police Station,
Sivagangai.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.JERIN MATHEW, Advocate (SR-9827[I] dated 12/08/2024)

ORDER
IN
CRL OP(MD) No.13109 of 2024
Date :12/08/2024

ED/ JGB /SAR- (14/08/2024) 4P / 7C

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