WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Tuesday, the Second day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.20938 of 2023

TAMILSELVI ... PETITIONER/PETITIONER

Vs

THE INSPECTOR OF POLICE
E.PUDHUR POLICE STATION,
TRICHY DISTRICT.
(CRIME NO.1581/2023) ... RESPONDENT/RESPONDENT

Criminal Original Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to modify the condition No.1 in order dated 20.10.2023 passed in Cr.M.P.(MD).No.4814/2023 by the Principal District and Sessions Judge.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.T.LENIN KUMAR, Advocate for the petitioner and MR.SS.MADHAVAN, Government Advocate(Crl.side) for the Respondent and MR.B.JAMEEL ARASU,

https://www.mhc.tn.gov.in/judis

WEB COPY

Advocate for the Intervenor, the court made the following order:-

The learned counsel for the petitioner would submit that the petitioner was qualified with 10th standard, but the defacto complainant trained her to manage the accounts of the hospital. Thereafter, she decided to resign her job. At that time, a false case has been foisted against petitioner, stating that the petitioner at that time of working in the defacto complainant's hospital, she committed cheating to the tune of Rs.15,00,000/-. While granting anticipatory bail by the concerned trial Court, a condition was imposed upon the petitioner to deposit a sum of Rs.5,00,000/- and to modify the same, this petition has been filed.

2. The learned counsel for the intervenor and the learned Government Advocate (Crl.Side) would submit that the condition imposed by the concerned trial Court is not complied by the petitioner. So, they vehemently objected to modify the condition.

(*)3.Considering the facts and circumstances of the case and considering the fact that the petitioner was an employee under the defacto complainant and when she was decided to resign her job, the defacto complainant preferred the present complaint, this Court is of the view that the condition imposed by the Court below is onerous one, which cannot be allowed to continue. Accordingly, the condition of depositing a sum of Rs.5,00,000/- is hereby deleted and this petition is allowed. The time is extended for a period of two weeks from the date of receipt of a copy of

https://www.mhc.tn.gov.in/judis

WEB COPY

this order to comply the other conditions imposed by the Court below and the petitioner is directed to appear before the Investigation Officer as and when required.

sd/-
02/01/2024

(*)Corrected as per order of this Hon'ble Court
in CRL OP(MD).20938/2023 dated 18/01/2024

/ TRUE COPY /

/01/2024

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

indu
TO

TO BE SUBSTITUTED WITH THE ORDER ALREADY DESPATCHED ON 10/01/2024

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUCHIRAPPALLI.

2.THE INSPECTOR OF POLICE
E.PUDHUR POLICE STATION,
TRICHY DISTRICT.

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

+1. CC to T.LENINKUMAR Advocate SR.No.366(F) DATED 04.01.2024
+1. CC to T.LENINKUMAR Advocate SR.No.815(I) DATED 19.01.2024

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER
IN
CRL OP(MD) No.20938 of 2023
Date :02/01/2024

RK/DD(09/01/2024) 4P / 5C
RS/JGB(23/01/2024) 4P / 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023

https://www.mhc.tn.gov.in/judis