



Crl.O.P.(MD)No.22592 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2024

CORAM

**THE HON'BLE MR.JUSTICE M.DHANDAPANI**

**Crl.O.P.(MD) No.22592 of 2023**

Rameshkumar

... Petitioner/Petitioner

Vs.

State represented by  
The Inspector of Police,  
City Crime Branch,  
Trichy District.  
Crime No.33 of 2022.

... Respondent /Respondent

**PRAYER :** Criminal Original Petition filed under Section 439(1)(b) of the Code of Criminal Procedure, to modify the condition No.1 imposed in Cr.M.P.No.3942 of 2023 on the file of the Principal District and Sessions Judge (I/c), Tiruchirappalli.

For Petitioner : Mr.V.Illanchezian

For Respondent : Mr.SS.Madhavan,  
Government Advocate (Crl. Side)



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## **ORDER**

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This Criminal Original Petition has been filed to modify the condition No.1 imposed in Cr.M.P.No.3942 of 2023 on the file of the Principal District and Sessions Judge (I/c), Tiruchirappalli.

2. The case of the prosecution is that the defacto complainant is running medical and surgical equipment sales and service business in the hospitals. On 17.06.2020, there was an agreement between the petitioner and the defacto complainant, for the sale of mask, for which, the defacto complainant sent a sum of Rs.16,90,000/- to the petitioner's account on 18.06.2023. Thereafter, the petitioner neither supplied the mask nor returned the money. Hence, the complaint.

3. While entertaining the bail application filed by the petitioner, the trial Court imposed a condition upon the petitioner to deposit Rs.8,45,000/- without prejudice his right and contention. Aggrieved over the same, the present petition has been filed.



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4. The learned counsel for the petitioner would submit that the petitioner was directed to deposit Rs.8,45,000/- without prejudice his right and contention. He would further submit that the petitioner is having a very good case and having every opportunity to succeed in the case. If the petitioner is succeed, there is no guarantee for the petitioner to receive the amount from the defacto complainant. Hence, he prays for modify the condition No.1 in Cr.M.P.No.3942 of 2023 on the file of the Principal District and Sessions Judge (I/c), Tiruchirappalli.

5. The though the total amount involved in this matter is Rs.16,90,000/-, the trial Court imposed the condition upon the petitioner to deposit only Rs.8,45,000/- without prejudice his right and contention, is justifiable and reasonable one. Hence, there is no question for modification of the condition No.1 in Cr.M.P.No.3942 of 2023 on the file of the Principal District and Sessions Judge (I/c), Tiruchirappalli.

6. Hence, this Criminal Original Petition is dismissed.

**08.01.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
Indu

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To

- 1.The Inspector of Police,  
City Crime Branch,  
Trichy District.
- 2.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**M.DHANDAPANI,J.**

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