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Crl.O.P.No.1307 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2025

CORAM

THE HON'BLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.No.1307 of 2025

Bhavani

... Petitioner

Vs.

The State represented by,
The Inspector of Police,
Nandhambakkam Police Station,
Chengalpattu.
(Crime No.124 of 2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, to modify the condition as deposit of Rs.25,000/- instead of "2. After her release, the petitioner/accused is directed to deposit the said amount of Rs.2,00,000/- into the accounts of this Court, within a period of one month from the date of her release" in Crl.M.P.No.3487 of 2024 in Crl.M.P.No.3330 of 2024 dated 19.11.2024 on the file of the Principal District Court, Chengalpattu.

For Petitioner : Mr.K.Thenrajan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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ORDER

This petition has been filed to modify the condition as deposit of Rs.25,000/- instead of "2. After her release, the petitioner/accused is directed to deposit the said amount of Rs.2,00,000/- into the accounts of this Court, within a period of one month from the date of her release" in Crl.M.P.No.3487 of 2024 in Crl.M.P.No.3330 of 2024 dated 19.11.2024.

2. The petitioner is figured as A2 in Crime No.124 of 2024 on the file of the respondent police and the case was registered against her for the offences punishable under Sections 296(b), 118(1), 351(2) of BNSS Act and Section of 4 of Prohibition of Women Harrassment Act and Section 3(1) (xi) of SC/ST (Prevention of Atrocities Act, 1989).

3. The petitioner is in custody for more than 30 days and she was eventually granted bail by the learned Principal District Court, Chengalpattu, directing her to surrender the passport; and if she is not having passport, directed to deposit a sum of Rs.2,00,000/-. Aggrieved by the same, she filed the present petition.



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4. The learned counsel for the petitioner submitted that instead of depositing Rs.2,00,000/-, the petitioner is ready to deposit a sum of Rs.25,000/-.

5. It is seen from the records that similar condition was imposed on A1 by the Principal District and Sessions Judge, Chengalpattu in Crl.M.P.No.3541 of 2024, directing him to deposit a sum of Rs.3,00,000/- vide order dated 27.11.2024 and the same was completely deleted by this Court in Crl.O.P.No.30480 of 2024 on 05.12.2024. Hence, I am inclined to adopt the similar approach.

6. Accordingly, even though the petitioner has come forward to deposit a sum of Rs.25,000/-, the condition imposed in Crl.M.P.No.3330 of 2024 dated 13.11.2024 on the petitioner is modified to the effect that she shall not deposit any amount. However, with regard to the execution of bond and appearance before the respondent police, she shall comply with the order passed in Crl.M.P.No.3330 of 2024, dated 13.11.2024. This petition is allowed.

17.01.2025



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mst/smn

To

1. The Principal District Court,
Chengalpattu.
2. The Inspector of Police,
Nandhambakkam Police Station,
Chengalpattu.
3. The Public Prosecutor,
High Court of Madras.



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G.R.SWAMINATHAN., J.

mst/smn

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