



Crl.OP.No.2771 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.No.2771 of 2025

Retchagaraj

... Petitioner

Vs.

The State Rep by its
The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
(Crime No.484 of 2024)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 528 of B.N.S.S., praying to modify the condition imposed on the petitioner in para 6(a) the petitioner is ordered to be released on bail on paying of Rs.1,96,000/- (Rupees One Lakh and ninty six thousand only) at Mediation and Conciliation Centre, Dharmapuri in Crl.MP.No.71 of 2025 dated 24.01.2025 by the learned Principal District Judge at Dharmapuri.



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For Petitioner : Mr.T.Dhasarathan
For Respondent : Mr.S.Balaji
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to modify the condition imposed in Crl.M.P.No.71 of 2025 on the file of the learned Principal District Judge at Dharmapuri by its order dated 24.01.2025.

2. The learned counsel for the petitioner would submit that the learned Principal District Judge, Dharmapuri, while enlarging the petitioner on bail in Cr.No.484 of 2024 for the offence under Section 123 of BNS r/w Section 24(1) of COTPA Act, 2003, imposed one of the conditions that *“the petitioner is ordered to be released on bail on paying of Rs.1,96,000/- at Mediation and Conciliation Centre, Dharmapuri”*, in Crl.M.P.No.71 of 2025 dated 24.01.2025. He further submits that he was working as a driver in a private concern and is not in a position to pay such huge amount; therefore he seeks a modification of



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the said condition.

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3. Admittedly, the petitioner was unable to comply with the said condition and is still languishing in jail, though the bail was already granted on 24.01.2025. This Court has held time and again that onerous conditions cannot be imposed for grant of bail. Hence, this Court is inclined to set aside the condition imposed by the learned Principal District Judge, Dharmapuri in Crl.MP.No.71 of 2025 dated 24.01.2025 to deposit a sum of Rs.1,96,000/- and all other conditions imposed by the trial court shall remain unaltered. Hence, this Criminal Original Petition is allowed.

05.02.2025

drl

Note : Issue Order Copy on 06.02.2025



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SUNDER MOHAN, J.

drl

To

1. The Principal District Judge,
Dharmapuri.
2. The Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Dharmapuri.
3. The Public Prosecutor,
High Court, Chennai.

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