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CRL O.P. No.3266 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED : 12.02.2025

CORAM:

**THE HONOURABLE MR. JUSTICE SUNDER MOHAN**

CRL O.P. No.3266 of 2025

Vanitha

... Petitioner / Accused

Versus

The State rep., by  
The Inspector of Police,  
District Crime Branch,  
Cuddalore,  
Cuddalore District.  
(Crime No.28 of 2024)

... Respondent

PRAYER: Criminal Original Petition filed under Section 483(1)(b) of B.N.S.S., praying to modify the condition imposed against the petitioner with respect to “the petitioner/Accused shall also deposit cash of Rs.10,00,000/- (Rupees ten lakhs only) before the learned Judicial Magistrate No.I, Vridhachalam and the same has to be kept in CrI.C.D., account in the said crime number” mentioned in CrI.M.P. No.5 of 2025, by the learned Principal District and Sessions Judge, Cuddalore by order dated 04.01.2025.



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For Petitioner : Mr. R. Thirumoorthy.

For Respondent : Mr. S. Balaji, Government Advocate,  
[Criminal Side].

## **ORDER**

This petition seeks modification of the condition imposed on the petitioner in bail directing her to deposit Rs.10,00,000/- (Rupees Ten lakhs only) before the learned Judicial Magistrate No.I, Vridhachalam.

2.The learned Counsel for the petitioner would submit that though the bail was granted on 04.01.2025, the petitioner has not been released since she cannot comply with the said condition and submitted that the similar condition imposed on the co-accused namely her husband Stalin was set aside by this Court in CrI.O.P. No. 2290 of 2025 dated 30.01.2025.

3.The learned Government Advocate (Criminal Side), on instructions, would submit that the same condition imposed on A1 has been relaxed by this Court in CrI.O.P. No. 2290 of 2025 dated



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30.01.2025.

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4.It is seen that the condition to deposit Rs.10,00,000/- for release on bail is onerous. This Court has repeatedly held that onerous conditions should not be imposed for grant of bail thereby denying the bail. Since the petitioner is unable to deposit the amount and still in custody, this Court is of the view that the said condition has to be set aside.

5.In view of the above, the condition imposed in Crl.M.P. No.5 of 2025 dated 04.01.2025 directing the petitioner to deposit Rs.10,00,000/- (Rupees Ten lakhs only) before the learned Judicial Magistrate No.I, Vridhachalam is set aside and the other conditions shall remain unaltered.

6.Accordingly, this petition is ordered.

**12.02.2025**

ay

Index: Yes / No

Speaking Order / Non-speaking order

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Neutral Citation: Yes / No

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**SUNDER MOHAN. J,**

*ay*

To

- 1.The Public Prosecutor,  
High court of Madras,  
Chennai.
- 2.The Judicial Magistrate No.I,  
Vridhachalam.
- 3.The Inspector of Police,  
District Crime Branch,  
Cuddalore,  
Cuddalore District.

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12.02.2025