



CRL. O.P. NO.7248 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 13.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL. O.P. No.7248 of 2025

Ranjith Kumar
Male Aged 25 Years S/o.Ramesh
Naidu No.7-9b, Akkagari Peta,
Chittoor, Andhra Pradesh - 517 591.
Thiruvallur

...Petitioner

Vs

The State Rep. by
The Inspector of Police
Thazambur Police Station,
Chengalpattu, Tamil Nadu.
Crime No.449 of 2024

...Respondent

PRAYER

Criminal Original Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to modify the condition "1. The petitioner/accused is directed to deposit Rs.5,00,000/- (Rupees Five Lakhs only), by way of Demand Draft, into the account of the District Munsif cum Judicial Magistrate, Thiruporur concerned in Cr.No.449 of 2024 of Thazhambur Police Station" in CrI.M.P.380 of 2025 dated 14.02.2025, on the file of Learned Principal District and Sessions Judge, Chengalpattu.

For Petitioner:

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Mr. D. Prasanna Kumar

For Respondent:

Mr. S. Santhosh, Government Advocate (Crl. side)

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ORDER

This petitioner seeks modification of the condition imposed by the Principal District and Sessions Judge, Chengalpattu, vide orders dated 14.02.2025, in Crl.M.P.No.380 of 2024, directing the petitioner to deposit Rs.5,00,000/- into the account of Crime No.449 of 2024 of Thazhambur Police Station.

2. The learned counsel for the petitioner would submit that the allegations levelled against the petitioner are false and that the defacto complainant had stated that he had handed over Rs.25,00,000/- to the petitioner by cash for purchasing a property, but, he has neither issued a receipt nor is there any agreement to prove the payment of Rs.25,00,000/-. The learned counsel further submitted that, in any case, the petitioner is in custody from 10.01.2025 and considering the period of incarceration, this Court may modify the said condition as the petitioner is still languishing in jail in spite of the bail order.

3. Heard the learned Government Advocate appearing for the



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respondent, who reiterated the prosecution case that the cash is said to have been paid to the petitioner by the defacto complainant and that there is no document in support of the same.

4. This Court has repeatedly held that onerous conditions cannot be imposed while granting bail. It is for the prosecution to establish the case against the petitioner in the manner known to law. The petitioner is in custody from 10.01.2025. Therefore, this Court is inclined to set aside the condition imposed on the petitioner by the Principal District and Sessions Judge, Chengalpattu, vide orders dated 14.02.2025, in CrI.M.P.No.380 of 2024, to deposit a sum of Rs.5,00,000/- into the account of the District Munsif cum Judicial Magistrate, Thiruporur concerned in Cr.No.449 of 2024 of Thazhambur Police Station. All the other conditions imposed by the trial court, remain unaltered.

5. The Criminal Original Petition is ordered accordingly.

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1. The Inspector of Police
Thazambur Police Station, Chengalpattu,
Tamil Nadu. Crime No.449 of 2024
2. The District Munsif cum Judicial Magistrate,
Thiruporur.
3. The Principal District and Sessions Judge,
Chengalpattu.



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SUNDER MOHAN, J.

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