



Crl.O.P.No.19519 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.19519 of 2025

1. D.Chandran
2. Vadivelu ... Petitioners

Vs.

The Inspector of Police,
J4 Kotturpuram Police Station,
Chennai,
Crime No.92 of 2025. ... Respondent

Prayer: Criminal Original Petition is filed under Section 528 BNSS, 2023, to set aside the order passed in Crl.M.P.No.5482 of 2025 dated 23.06.2025 on the file of the Principal Sessions Judge, Chennai.

For Petitioners : Mr.M.Dinesh
For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)



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ORDER

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The Criminal Original Petition is filed to set aside the order passed in Crl.M.P.No.5482 of 2025 dated 23.06.2025 on the file of the Principal Sessions Court, Chennai.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. Learned counsel for the petitioners submitted that the trial Court i.e., the IX Metropolitan Magistrate, Saidapet, Chennai, while granting bail to the petitioners on 28.04.2025 in Crl.M.P.No.4136 of 2025, imposed certain conditions. One such condition is that the petitioners shall deposit each a sum of Rs.5,00,000/- before the Court below in Crime No.92 of 2024 within five days. The said condition is challenged as onerous condition by the petitioners/accused.

4. It is seen from the records that while granting bail, the trial Court has directed the petitioner to deposit a sum of Rs.5,00,000/- within five days. However, the petitioners without complying with the said



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condition, have approached the IX Metropolitan Magistrate, Saidapet, Chennai, for extension of time. The Court below, *vide* order dated 27.05.2025 in Crl.M.P.No.4368 of 2025, has also granted extension of time for two months to deposit the said amount. Challenging the same, the petitioners preferred a petition in Crl.M.P.No.5482 of 2025 seeking modification of the said condition. The learned Principal Sessions Judge, Chennai, by order dated 23.06.2025, dismissed the petition as against the said dismissal order, the present petition is filed. The main grievance of the petitioners is that the condition to deposit each a sum of Rs.5,00,000/- is onerous.

5. No doubt, time and again the Hon'ble Apex Court and this Court had given directions that no onerous conditions shall be imposed while granting bail.

6. Considering the facts and circumstances of the case and also taking into account the submissions, to meet the ends of the justice, this Court is of view that the condition No.2 i.e., "the petitioners are directed to deposit each a sum of Rs.5,00,000/- before this Court in Cr.No.92 of



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2024 within five days from the date of release failing which the petition

shall stand automatically dismissed" imposed on the petitioners by the

Court below in Crl.M.P.No.4136 of 2025 dated 28.04.2025, is liable to

be set aside. Accordingly, the condition No.2, is hereby set aside.

7. Further, the condition No.3 i.e., "the petitioners are directed to appear before the respondent-Police Station on every Monday at 10.00 a.m., for until further orders" is hereby modified to the effect that the petitioners shall appear before the respondent-Police daily twice i.e., at 10.00 a.m., and 5.00 p.m., until filing of the charge-sheet/final report.

8. With the above modifications, the Criminal Original Petition is disposed of.

15.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Principal Sessions Judge,
Chennai.
2. The IX Metropolitan Magistrate,
Saidapet, Chennai.
3. The Inspector of Police,
J4 Kotturpuram Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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