



WEB COPY

CRL MP No. 20234 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-11-2025

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THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CRL MP No. 20234 of 2025

in Crl OP No.22119 of 2025

Shantharam Baskar Devar

Petitioner(s)

Vs

State rep. by, Inspector of Police,
S-7, Madipakkam Police Station, Chennai District.

Crime No. 753/2025

Respondent(s)

PRAYER This petition is filed under Section 528 of BNSS Act, seeking to modify the order passed in Crl.OP No. 22119/2025 that “the petitioner has got no objection for the defacto complainant to receive the amount deposited by the petitioner in Crime no. 753/2025. The defacto complainant shall file a petition/memo seeking for withdrawal of the said amount. The trial court to hand over the said amount to the defacto complainant dispensing notice to the petitioner. The defacto complainant to file an undertaking affidavit that the amount received is subject to the outcome of the above case or any corollary proceedings” dt. 08.08.2025.

For Petitioner Mr.S.Raghuman

For Intervenor Mr.G.V.Sridharan

For Respondent(s): Mr.A.Gopinath

Government Advocate (Crl.side)



ORDER

This petition has been filed by the petitioner seeking modification of the condition imposed upon the petitioner by this Court in Crl.OP.No.22119 of 2025 dated 08.08.2025.

2.Earlier this Court by an order dated 08.08.2025 in Crl.OP.No.22119 of 2025 has imposed the condition in paragraph No.9 that “the petitioner is directed to deposit a sum of **Rs.20,00,000/- [Rupees Twenty Lakhs only], i.e., the first installment of Rs.10,00,000/- (Rupees Ten Lakhs only) to be deposited on or before 22.08.2025 and the balance amount of Rs.10,00,000/- (Rupees Ten Lakhs only) to be deposited on or before 08.09.2025 to the credit of Crime No.753 of 2025** before the trial Court” and further in paragraph No.10, this Court has observed as follows:

“10.The petitioner has got no objection for the de-facto complainant to receive the amount deposited by the petitioner in Crime No.753 of 2025. The de-facto complainant shall file a petition/memo seeking for withdrawal of the said amount. The trial Court to hand over the said amount to the de-facto complainant dispensing notice to the petitioner. The de-facto complainant to file an undertaking affidavit that the amount received is subject to the outcome of the above case or any corollary proceedings.”

3.The petitioner after availing the benefit of the bail order passed by this



Court dated 08.08.2025, the present petition has been filed seeking modification of the condition.

4. On a perusal of the order dated 08.08.2025 passed by this Court, it reveals that the petitioner availed the benefits of anticipatory bail solely based on his submissions before this Court. Having availed the benefit of anticipatory bail, the petitioner cannot now go back on his submissions and seek for modification of the condition.

5. Considering the aforesaid fact, this Court is not inclined to modify the condition imposed on the petitioner in CrI.OP.No.22119 of 2025 dated 08.08.2025.

6. Accordingly, the criminal miscellaneous petition is dismissed.

03-11-2025

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To
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1. Inspector of Police,
S-7, Madipakkam Police Station,
Chennai District.
2. The Public Prosecutor
High Court of Madras.



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K.RAJASEKAR J.
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