



Crl.O.P.(MD) No.5494 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

Crl.O.P.(MD) No.5494 of 2025

Kumar

... Petitioner/ Accused No.1

Vs.

The State of Tamil Nadu
rep. by Inspector of Police,
District Crime Branch,
Theni
(Crime No.35 of 2023)

...Respondent

PRAYER: Criminal Original Petition is filed under Section 483(i)(b) r/w 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to modify the condition No.(i) imposed by the learned Judicial Magistrate, Theni in Crl.M.P.No.496 of 2025, dated 20.02.2025.

For Petitioner : Mr.N.Balasubramanian

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl.Side)

ORDER

This Petition has been filed to modify the condition No.(i) imposed by the learned Judicial Magistrate, Theni in Crl.M.P.No.496 of 2025, dated 20.02.2025.



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2. Mr.N.Balasubramanian, learned counsel appearing for the petitioner, submits that it is a well settled law that when the statutory bail petition is filed, there should not be any stringent condition. However, learned Judicial Magistrate, Theni in Crl.M.P.No.496 of 2025 dated 20.02.2025, imposed a condition that the petitioner has to deposit a sum of Rs.13,00,000/- as fixed deposit in Crime No.35 of 2023.

3. Heard Mr.S.S.Manoj, the learned Government Advocate (Crl.Side) appearing for the State.

4. The learned Judicial Magistrate, while granting statutory bail to the petitioner, imposed a condition to deposit Rs.13,00,000/- to the credit of the Crime No.35 of 2023. This Court is of the view that as per law, the above condition is unsustainable and deserves to be set aside. Considering the same, **this Court is inclined to allow this petition and the condition No.(i) alone is deleted and the petitioner shall comply with the other conditions.** To that effect, this petition is ordered.

sd/-
25/03/2025

/ TRUE COPY /

25/03/2025
Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.



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APD

TO

- 1 THE JUDICIAL MAGISTRATE
THENI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
THENI.
- 3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THENI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL OP(MD) No.5494 of 2025

Date :25/03/2025

SS/SAR- /25/03/2025/ 3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023