



CRL OP(MD). No.9767 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/06/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL OP(MD). No.9767 of 2025

Rajamohamed,
S/o.Abdul Jaffar

... Petitioner/ Accused

Vs

The State of Tamilnadu
Rep. by the Inspector of Police,
The Range Office,
Mandapam.
(WLOR.No.30 of 2025).

... Respondent/Complainant

For Petitioner : M/s.S.Prabha
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

PETITION FOR MODIFICATION Under Sec.528 of BNSS.

PRAYER :- To call for the records and set aside the order in Crl.M.P.No.1139 of 2025 dated 22.04.2025 and modify the condition No.6 (i) (ii) imposed on the petitioner by an order, dated 09.04.2025, passed in Crl.M.P.No.924 of 2025 on the file of the learned Principal Sessions Judge, Ramanathapuram.



CRL OP(MD). No.9767 of 2025

ORDER: The Court Made the following order :-

WEB COPY

This petition has been filed to call for the records and set aside the order in Crl.M.P.No.1139 of 2025 dated 22.04.2025 and modify the condition No.6 (i) (ii) imposed on the petitioner by an order, dated 09.04.2025, passed in Crl.M.P.No.924 of 2025 on the file of the learned Principal Sessions Judge, Ramanathapuram.

2. The learned counsel for the petitioner would submit that the learned Principal Sessions Judge, Ramanathapuram had granted anticipatory bail to the petitioner with certain conditions. The Condition No.6(i)(ii) are as follows :

(i) Before the execution of bond, the petitioner shall deposit non-refundable amount of Rs.2,00,000/- (Rupees Two Lakhs only) to the credit into the Account No.33658054216 in favour of the Gulf of Mannar Biosphere Reserve Trust, Ramanathapuram at Head Office, State Bank of India in IFSC Code : SBIN0000908, MICR Code: 623002004 without prejudice to his right and contentions before the trial Court;

(ii) further that the petitioner shall deposit the remaining amount of Rs.8,00,000/- (Rupees Eight Lakhs only) to the credit of the WLOR No.30/2024 on the file of the respondent police before the learned District Munsif cum Judicial Magistrate, Rameswaram within a period of two months from the date on which the order copy is made ready. In turn the learned District Munsif-cum-Judicial



CRL OP(MD). No.9767 of 2025

WEB COPY

Magistrate, Rameswaram shall deposit the said amount in an interest bearing fixed Deposit in any Nationalized Bank initially for a period of one year and renew them periodically until the final order/Judgement is passed in the case in WLOR.No.17 of 2024".

3. He further submits that the petitioner is taking treatment for his illness and he is a daily wager and it is difficult to pay the said deposit amount. The property involved in this case was also recovered by the respondent police. The conditions imposed by the trial Court is onerous. Already, this petitioner has filed modification petition before the learned Principal Sessions Judge, Ramanthapuram in Crl.M.P.No.1139 of 2025 and the same was dismissed on 22.04.2025. The petitioner is a daily wager, and he is unable to mobilize such huge amount. Considering the pathetic situation of the petitioner, the condition No.6(i) (ii) imposed by the learned Principal Sessions Judge, Ramanathapuram may be modified. This petitioner is ready and willing to deposit some amount that may be fixed by this Hon'ble Court. He prays for modification of the said conditions.

4. The learned Government Advocate (Crl.Side) has not raised any objection to allow this Criminal Miscellaneous Petition.

5. Considering the nature of offence and considering the fact that the conditions 6(ii) imposed by the learned Principal Sessions Judge Ramanathapuram



CRL OP(MD). No.9767 of 2025

is onerous, therefore, this court is inclined to modify the condition Nos.6(ii) alone, imposed by the learned Principal Sessions Judge, Ramanathapuram. Accordingly, the condition No.6(ii) alone is set aside and the other conditions i.e., conditions Nos.6(i) & (iii) to (x) shall remain unaltered.

6. With the above said modifications, this Criminal Original Petition is partly allowed.

sd/-
18/06/2025

/ TRUE COPY /

/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

To :

1. The Principal Sessions Judge,
Ramanathapuram.
- 2 THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE, RAMESWARAM.
- 3 THE CHIEF JUDICIAL MAGISTRATE
RAMANATHAPURAM DISTRICT.
- 4.The Inspector of Police,
The Range Office,
Mandapam.



CRL OP(MD). No.9767 of 2025

5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1. CC to M/S. M.MEENATCHI, Advocate SR.No.34927 Dated :18/06/2025

ORDER
IN
CRL OP(MD) No.9767 of 2025
Date :18/06/2025

HPS/07.07.2025 5P/7C

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