



CRL MP(MD). No.8993 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 18/07/2025

PRESENT

THE HONOURABLE MR. JUSTICE P. VADAMALAI

CRL MP(MD). No.8993 of 2025

in

CRL OP(MD). No.3926 of 2025

Mariya Baburaj,
S/o.Selvaraj

... Petitioner/Petitioner

Vs

The State of Tamilnadu
Rep. by the Inspector of Police,
Karimedu Police Station,
Madurai District.
(Crime No.117of 2025).

... Respondent/Complainant

For Petitioner : Mr.R.Swaminathan
Advocate.

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

PETITION FOR MODIFICATION Under Sec.528 of BNSS.

PRAYER :- To modify the condition No.7(iii) imposed on the petitioner by this Court in its order, dated 04.03.2025, passed in Crl.O.P.(MD)No.3926 of 2025.

ORDER : The Court Made the following order :-

This petition has been filed to modify the condition No.7(iii) imposed in



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Crl.OP(MD).No.3926 of 2025 dated 04.03.2025.

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2. The learned Counsel for the petitioner would submit that this petitioner has filed an anticipatory bail petition before this Court on 27.02.2025 in Crl.OP.(MD). No.3926 of 2025. The said anticipatory bail petition was heard and on 04.03.2025, this Hon'ble Court was pleased to grant anticipatory bail to the petitioner with certain conditions. In the said anticipatory bail order, Condition No.7(iii) as follows:

"(iii). The petitioner shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Crime No.117 of 2025 on the file of the learned Judicial Magistrate No.V, Madurai, without prejudice for her rights and contentions before the trial court and produce the receipt/acknowledgement before the concerned Judicial Magistrate while executing sureties. On such deposit, the concerned Magistrate shall deposit the said amount in an of the Nationalized Banks in a fixed deposit scheme for a period of one year and thereafter, renew the same till the conclusion of the trial;"

3. He further submits that this petitioner and his wife had filed two separate anticipatory bail petitions before this Court in Crl.OP.(MD).Nos.3926 of 2025 and Crl.OP.(MD).No.3550 of 2025 respectively. This Hon'ble Court was pleased to grant anticipatory bail to this petitioner as well as his wife. While allowing the anticipatory bail petition in Crl.OP.(MD).No.3550 of 2025, which was filed by this petitioner's wife, this Hon'ble Court had imposed a condition to deposit Rs.50,000/- to the credit of Crime No.117 of 2025 on the file learned Judicial Magistrate No.V,

<https://www.mhc.tn.gov.in/judis>



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Madurai. Accordingly, on 27.03.2025, an amount Rs.50,000/- has been deposited by the petitioner in CrI.OP.(MD).No.3550 of 2025 to the credit of Crime No.117 of 2025. He further submits that there is no specific overtact against this petitioner. This petitioner and his wife are living separately, this petitioner has not involved in any acts done by his wife. The petitioner is not at all present at the time of occurrence. Therefore, the petitioner seeks indulgence of this court by modifying the said condition imposed against him. Hence, he prays for modification of the said condition.

4. The learned Government Advocate (CrI.side) appearing for the respondent has not raised any objection to allow this Criminal Miscellaneous Petition.

5. Considering the submissions made by the learned Counsel for the Petitioner and being satisfied with the reasons stated above, this Court is inclined to delete the Condition No.7(iii) in the order made in CrI.O.P(MD).No.3926 of 2025 dated 04.03.2025. Accordingly, condition No.7(iii) is deleted and all other conditions shall remain unaltered.



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6. With the above said modification, this Criminal Miscellaneous Petition is allowed.

sd/-
18/07/2025

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/08/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

gvn

To :

1.The Judicial magistrate, No.V, Madurai.

2.Do through the chief Judicial Magistrate, Madurai.

3. The Inspector of Police,
Karimedu Police Station, Madurai District.

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

+1 CC to M/s.R.SWAMINATHAN, Advocate (SR-7880[I] dated 22/07/2025)



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ORDER
IN
CRL MP(MD) No.8993 of 2025
IN
CRL OP(MD) No.3926 of 2025
Date :18/07/2025

PR/06.08.2025 5P/6C

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