



Crl.O.P.(MD)No.15287 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.15287 of 2025

Subburaj

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.
Crime No.235 of 2025

... Respondent

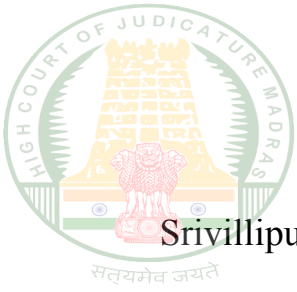
Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to set aside to Modify the condition No.(i) imposed by the Learned Principal District and Sessions Judge, Virudhunagar District, at Srivilliputhur in Cr.M.P.No.2915 of 2025 dated 01.09.2025 in Crime No.235 of 2025 on the file of respondent police.

For Petitioner : M/s.C.Venkatesh

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

The petitioner seeks modification of the condition imposed by the learned Principal District and Sessions Judge, Virudhunagar District, at



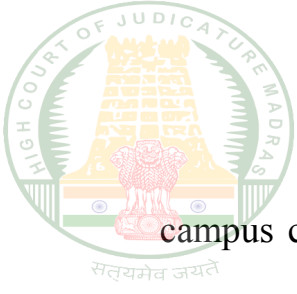
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Srivilliputhur, in Cr.M.P.No.2915 of 2025, dated 01.09.2025, directing the petitioner to donate a sum of Rs.50,000/- to the Judicial Employees Association, Virudhunagar District Centre at Srivilliputtur, for replacing the water pipes in the Court campus.

2.The learned counsel for the petitioner would submit that the petitioner is a small time businessman and imposition of an onerous condition while granting bail/anticipatory bail is against the settled position of law. Therefore, the said condition may be set aside.

3.The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner is running a cracker shop and has four previous cases of similar nature and that no untoward incident had occurred so far.

4.The learned Principal District and Sessions Judge found that the petitioner was entitled to anticipatory bail based on the facts of the case. However, the condition imposed was that the petitioner should donate a sum of Rs.50,000/- for replacing the water pipes in the Court campus. This Court is of the view that firstly, an onerous condition cannot be imposed and secondly, directing a deposit as a donation for replacing the water pipes in the Court



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campus cannot be sustained. Therefore, the Condition No.1 imposed by the

learned Principal District and Sessions Judge, Virudhunagar District, at

Srivilliputhur in Cr.M.P.No.2915 of 2025, dated 01.09.2025, is set aside.

5.With the above observations, this Criminal Original Petition is allowed.

18.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

1. The Inspector of Police,
Vembakottai Police Station,
Virudhunagar District.

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



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SUNDER MOHAN, J.

cp

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