



CRL OP(MD). No.9798 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 20/05/2026

CORAM

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

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1. S.Malliga
2. V.Subramaniam
3. K.Muthusamy
4. P.Manikandan
5. P.Papathi
6. V.Jeyakumar
7. D.Kalpana

... Petitioners

Vs

State of Tamilnadu Rep by
Inspector of Police,, E.O.W.,
Karur District.
Crime No.2 of 2025.

... Respondent

PRAYER :-

To Modify the conditions imposed in order dated 15.05.2026 in Cr.M.P.Mo.564 of 2025 in Cr.M.P.No.451 of 2025 on the file of the file of the learned Special Judge under Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act Cases, Madurai in respect



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of execute a bond for a sum of Rs.10,00,000/- and to furnish one third party surety for a sum of Rs.10,00,000/- and original title deed with nil encumbrance certificate shall be produced as security for safe custody of the Court.

For Petitioners : Mr.J.Anandkumar

For Respondent : Mr.A.Albert James,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to modify the conditions imposed by the learned Special Judge under the Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act Cases, Madurai, in Crl.M.P.No.564 of 2025, dated 15.05.2026, wherein the learned trial Judge directed the petitioners to execute a bond for a sum of Rs.10,00,000/- and to furnish one third-party surety for a sum of Rs.10,00,000/- along with the original title deed and Encumbrance Certificate.

2.According to the learned counsel for the petitioners, the petitioners are alleged to have committed offence under Sections 316(2), 318(4) and 61(2) of BNS and Section 5 of TNPID Act and they were granted anticipatory bail by the Court below vide order in Crl.M.P.No.

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451 of 2025, dated 24.09.2025, by imposing a condition directing each of the petitioners to deposit a sum of Rs.10,00,000/- by way of security.

3. Seeking modification of the said condition, the petitioners have filed a modification petition in Cr.M.P.No.564 of 2025. At the time of passing order in the modification petition, the trial Court modified the condition to the effect that the petitioners were directed to execute a bond for a sum of Rs.10,00,000/-. However, in the said order, an additional condition was imposed directing the petitioners to furnish one third-party surety for a sum of Rs.10,00,000/- and to produce original title deed to be produced as security for the safe custody of the Court.

4. Further, the learned counsel for the petitioners submitted that when the petitioners has sought modification of the condition already imposed, the trial Court could not have imposed a new additional condition. Challenging the additional condition in the modification petition, the present petition has been filed.



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5. This Court heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, this Court is of the view that the trial Court cannot impose a new additional condition while the petitioners were seeking modification of the condition already imposed in the original order.

7. In view of the above, ***this Court is inclined to set aside the condition imposed by the learned Special Judge under Tamil Nadu Protection of Interest of Depositors (in Financial Establishments) Act Cases, Madurai in Crl.M.P.No.564 of 2025, dated 15.05.2026 insofar as directing the petitioners to furnish one third-party surety for a sum of Rs.10,00,000/- and original title deed shall be produced as security for safe custody of the Court. The other conditions imposed in the said order shall remain intact.***



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8. Accordingly, this Criminal Original Petition is partly
allowed.

20.05.2026

PNM

TO

1. The Special Judge under Tamil Nadu Protection
of Interest of Depositors
(in Financial Establishments) Act Cases, Madurai,
2. The Inspector of Police, EOW, Karur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR,J

PNM

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Date : 20/05/2026