
(2024) 04 MAD CK 0236

Madras High Court

Case No: Criminal Original Petition No. No.10295 Of 2024

M.Balakrishnan

APPELLANT

Vs

State

RESPONDENT

Date of Decision: April 29, 2024

Acts Referred:

- Indian Penal Code, 1860 - Section 406, 420

Hon'ble Judges: Dr. G.Jayachandran, J

Bench: Single Bench

Advocate: G.Mageshkumar, S.Udaya Kumar

Final Decision: Disposed Of

Judgement

Dr G. Jayachandran, J

1. The petitioner herein being aggrieved by the condition imposed by the District and Sessions Court-II, Kancheepuram by granting statutory bail is before this Court.
2. The petitioner stands investigated for the offences under Sections 406 and 420 of IPC who was taken into custody on 21.10.2023. When he sought for bail, the District and Sessions Court-II, Kancheepuram, taking note of the fact that even after lapse of 62 days, final report not filed, had granted bail on certain conditions. One such conditions is to deposit a sum of Rs.3,20,000/-, the petitioner has not able to mobilize the money and hence unable to comply with the said condition, he is still in prison.
3. The learned counsel for the petitioner states that the condition to deposit a sum of Rs.3,20,000/- is onerous and in case of a default bail, such onerous condition ought not to have been imposed.
4. This Court on considering the nature of the complaint and the duration of incarceration of the petitioner is of the view that the petitioner is entitled for bail on reasonable condition that the petitioner shall deposit a sum of Rs.3,20,000/- is

onerous as far as this case is concerned. Hence, that condition alone which form part of the order passed by the District Sessions Court in Crl.MP.No.2649 of 2023 dated 22.12.2023 is set aside.

The petitioner shall comply the other conditions and seek for release on bail.

5. With the above direction, this Criminal Original Petition is disposed of.