



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.05.2022

CORAM

THE HONOURABLE Mr.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.O.P.No.12117 of 2022

1. Kulanthaivel
2. Kathiravan
3. Nisanth
4. Dinesh
5. Hari @ Sri Hari
6. Sudha
7. Rani

... Petitioners

Vs.

The State Represented by  
The Sub Inspector of Police,  
Vaazhapadi Police Station,  
Salem District.  
Crime No.189/2022

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order passed in Crl.M.P.No.1415 of 2022 in Crl.M.P.No.1284 of 2022 in Crime No.189 of 2022, dated 13.04.2022 on the file of the Principal Sessions Judge, Salem and consequently modify the onerous condition of "the petitioners shall have to deposit a sum of Rs.15,000/- each into the credit of Crime No.189 of 2022 of Vazhapadi Police Station before the learned District Munsif Cum Judicial Magistrate, Vazhapadi" imposed in Crl.M.P.No.1284 of 2022 in Crime No.189 of 2022 on the file of the Principal Sessions Judge, Salem, dated 01.04.2022.

For Petitioners : Mr.R.Marudhachalamurthy

For Respondent : Mr.A.Damodaran  
Additional Public Prosecutor

O R D E R

This petition is filed to set aside the order passed in Crl.M.P.No.1415 of 2022, dated 13.04.2022, whereby the prayer to modify the condition to deposit a sum of Rs.15,000/- by each of the accused has been rejected by the learned Principal Sessions



Judge, Salem.

2. It is the contention of the learned counsel for the petitioners is that even as per the case of the prosecution, total damage caused is only worth about Rs.55,000/- and there are totally seven accused persons. Therefore, the direction to deposit a sum of Rs.15,000/- by each of the accused persons is more than the total damage. He would further submit that the petitioners are poor coolies and therefore, they are unable to pay the said sum of Rs.15,000/- each and prays to set aside the order dated 13.04.2022.

3. Therefore, upon considering the facts and circumstances of the case, the order passed by the learned Principal Sessions Judge, Salem to deposit a sum of Rs.15,000/- by each of the accused persons is modified as Rs.10,000/- each.

4. With the above modification, this Criminal Original Petition disposed of.

Sd/-  
Vacation Officer

//True Copy//

Sub Assistant Registrar

anu/rpl

To

1. The learned Principal Sessions Judge,  
Salem.
2. The learned District Munsiff Cum Judicial Magistrate,  
Vazhapadi.
3. The Sub Inspector of Police,  
Vaazhapadi Police Station,  
Salem District.
4. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No.31818

Cr1.O.P.No.12117 of 2022

NK(CO)  
SB(03/06/2022)