

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.06.2015

CORAM:

THE HON'BLE MR.JUSTICE R. SUBBIAH

Crl.O.P. No.15124 of 2015

M. Vanchiyappan

...Petitioner

Vs.

State, represented by
The Inspector of Police,
Rural Police Station,
Tiruppur,
Tiruppur District.
(Crime No.323 of 2015)

...Respondent

Criminal Original Petition filed under Section 439 (1) b of Cr.P.C., to modify the condition imposed in Crl.M.P.No.599 of 2015 , dated 28.5.2015 on the file of the learned Sessions Judge (Vacation Court), Tiruppur.

For Petitioner : Mr.M. Easan

For Respondent : Mr.M. Mohamed Riyaz
Govt. Advocate (Crl.side)

O R D E R

Petition for relaxation of condition imposed in Crl.M.P.No.599 of 2015 dated 28.5.2015 on the file of Mahila Court of Coimbatore.

2. On 28.5.2015, in Crl.M.P.No.599 of 2015, the learned Sessions Judge (Vacation Court), Tiruppur while granting bail to this petitioner has imposed a condition that the petitioner shall execute a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Tiruppur, one of the sureties must be a blood relative of the petitioner and the solvency certificate should be issued by an officer not below the rank of Tahsildar and with a further condition that the petitioner should appear before the respondent police station daily twice at 10.00 a.m. and 5.00 p.m., and sign until further orders.

3. The learned counsel for the petitioner submitted that the petitioner is a building construction labour and since his marriage is an inter-caste marriage, his relatives are not coming forward to stand as sureties. He further submitted that the petitioner and his friends did not possess any personal property and due to the onerous condition imposed by the court below, he was not able to furnish blood related surety and solvency certificate, so that he could not able to come out of jail though he was granted bail. It is his further submission that the petitioner is suffering incarceration more than 60 days. Hence he prayed for modification of the above said condition.

4. Heard the learned Government Advocate (crl.side).

5. Considering the submissions made by the learned counsel for petitioner, this Court is inclined to modify the above said condition imposed in Crl.M.P.No.599 of 2015 dated 28.05.2015. Accordingly, the conditions that "one of the sureties must be a blood relative of the petitioner and the solvency certificate should be issued by an officer not below the rank of Tahsildar" is hereby deleted. Except the above modification, all other conditions shall remain unaltered.

6. This petition is disposed of accordingly.

Sd/-
Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

msr

To

1.The Sessions Judge (Vacation Court),
Tiruppur.

2.The Inspector of Police,
Rural Police Station,
Tiruppur,
Tiruppur District.

WEB COPY

3.The Public Prosecutor,
High Court, Chennai.

1 CC to Mr.M. Easan, Advocate SR.No. 11570

CrI.O.P. No.15124 of 2015

GJ (CO)
PSI (25.06.2015)



WEB COPY