

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.12.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.1329 of 2015

Sundari

... Petitioner

vs.

1. Ashok Kumar

2.State Rep. by The Inspector of Police
D-5, Marina Police Station
Chennai - 600 004
(Crime No.422 of 2012)

... Respondents

Criminal Revision filed u/s.397 & 401 Cr.P.C. against the judgment of the learned III Additional City Civil Judge (i/c), II Additional Judge, Chennai in Crl.M.P.No.10113 of 2015 on 26.07.2015 in S.C.No.466 of 2012 (on the file of the learned III Additional City Civil Judge, Chennai) and discharge the petitioner from the capacity of one of the surety of the 1st respondent and direct the 2nd respondent to substitute the parents and wife of the 1st respondent in the place of the petitioner as substituted surety.

For Petitioners: Mr.K.Madhan

For Respondent : Mr.C.Iyyapparaj, R2

O R D E R

The petitioner has filed the present revision against the order of III Additional City Civil Judge, Chennai dated 26.07.2015 in Crl.M.P.No.10113 of 2015 in S.C.No.466 of 2012.

2. First respondent is arrayed as A1 in Crime No.422 of 2012 on the file of the second respondent for offences under Section 394 r/w.398 IPC. This Court, under orders in Crl.O.P.No.9279 of 2011 dated 18.05.2011, granted bail to the first respondent with a condition to execute two sureties each for a like sum of

Rs.10,000/-. The petitioner, who is the sister of the first respondent, stood as a surety. Informing that she is facing much difficulties owing thereto, she has filed CrI.M.P.No.10113 of 2015 seeking discharge of her as surety, which was dismissed by the Court below under the impugned order. Hence, the present revision.

3. Heard learned counsel for petitioner and learned Government Advocate (CrI.side).

4. In circumstance where discharge as surety was sought when accused for whom the petitioner stood surety is absconding, the order of the Court below refusing discharge is in order.

The Criminal Revision Petition is dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gpa
To

1. The III Additional Judge City Civil Judge (i/c)
II Additional Judge, Chennai
2. The Inspector of Police,
D5, Marina Police Station,
Chennai 4.
3. The Public Prosecutor,
High Court, Madras

+1 cc to Mr.K.Madhan, Advocate, sr.69729

ksj co
kra 18.01.2016

CrI.R.C.No.1329 of 2015