

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.07.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CRL.O.P. NO.18959 OF 2015

A.Palanisamy .. Petitioner/Petitioner Accused 2
Versus

State rep. by
Sub Inspector of Police,
Walaja Police Station,
Vellore.

Crime No.251 of 2015 .. Respondent/Respondent Complainant

PRAYER : Criminal Original Petition filed under Section 439(b) of Code of Criminal Procedure, to modify the condition no.1 that the petitioner has to execute two sureties, one should be close relative and to be blood relative with original document worth Rs.50,000/- to be deposited, imposed in Crl.M.P.No.895 of 2015 dated 16.07.2015 by Judicial Magistrate No.II, Walajapet, Vellore.

For Petitioner : Mr.S.Panneer Selvam
For Respondent : Mr.M.Mohamed Riyaz
Government Advocate (Crl. Side)

O R D E R

Petition for modification of the bail condition imposed by the Judicial Magistrate No.II, Walajapet, Vellore in Crl.M.P.No.895 of 2015, dt.16.07.2015, in respect of the condition no.1 requiring the petitioner to execute two sureties, one should be close relative and to be blood relative with original document of property worth Rs.50,000/- to be deposited.

2. While granting bail, the Judicial Magistrate No.II, Walajapet, Vellore, imposed a condition that "the petitioner has to execute a bond for Rs.10,000/- each along with two sureties, one surety should be close relative and to be blood relative, with original document of property worth Rs.50,000/- to be deposited, 2) petitioner should appear before Walaja Police Station every Saturday and Sunday at 10.30 a.m. and sign until furthers". Now, the present petition has been filed to modify the said onerous condition, since the relative of the petitioner do not possess any immovable property and the petitioner is unable to come out of the jail. Hence he sought for modification of the said condition.

3. Considering the above submissions, the order of the Judicial Magistrate No.II, Walajapet, Vellore passed in CrI.M.P.No.895 of 2015 dated 16.07.2015 is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000/- with two local sureties each for a likesum to the satisfaction of the Judicial Magistrate No.II, Walajapet, Vellore instead of close relative and blood relative and the other condition that the petitioner shall deposit original documents of property worth Rs.50,000/- is hereby deleted. Except this modification, other conditions remain unaltered.

4. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

mrp

To

1. The Judicial Magistrate No.II, Walajapet, Vellore.
- 2.-do- Thro The Chief Judicial Magistrate, Vellore.
- 3.The Sub Inspector of Police,Walaja Police Station, Vellore.
- 4.The Public Prosecutor, High Court of Madras, Chennai - 600 104.

1 cc to Mr.S.Panneer Selvam , Advocate Sr.No.38440

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ug(co)
pmk.29.7.2015

सत्यमेव जयते

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