

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P.No.25809 of 2015

1.Leenus @ Godwin Leenus

2.Julies @ Edwin Julies ... Petitioners

Vs.

The Inspector of Police,
Ariyalore Police Station,
Ariyalore, Ariyalore District,
(Crime No.417/2014) ... Respondent

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to modify the anticipatory bail order in Crl.M.P.No.1108/2015 passed by the learned Principal District and Sessions Judge, Ariyalore, dated 10.10.2015, in connection with the case in Crime No.417 of 2014 on the file of the respondent-Police.

For Petitioners : Mr.S.Ramajayam

For Respondent : Mr.C.Emalias,
Addl. Public prosecutor.

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to modify the conditions imposed on the petitioners by the learned Principal District and Sessions Judge, Ariyalore, while granting anticipatory bail to the petitioner Crl.M.P.No.1108/2015 vide order dated 10.10.2015.

2.The petitioners have been arrayed as accused for the alleged offence punishable under Sections 447, 427, 294(b), 323, 354, 506(i) IPC r/w 3(1) PPD Act, in Crime No.417 of 2014 pending on the file of the respondent-Police. The petitioners

have moved anticipatory bail application in Cr.M.P.No.1108 of 2015 before the learned Principal District and Sessions Judge, Ariyalur. By order dated 10.10.2015, while granting anticipatory bail to the petitioners, the learned Principal District and Sessions Judge, Ariyalur, has imposed certain conditions on the petitioners; one of the conditions is that the petitioners shall deposit a sum of Rs.5,000/- before the the learned Judicial Magistrate, Ariyalur under criminal court deposit to the credit of the concerned crime number.

3.Now, it is submitted by the learned counsel for the petitioner that the condition imposed on the petitioners, directing them to deposit Rs.5,000/- before the Court below is onerous one and the said condition has to be deleted.

4.Heard the learned Additional Public Prosecutor appearing for the respondent also.

5.Keeping the submissions made on either side, I have carefully gone through the order passed by the Court below. I am of the opinion that in the absence of any undertaking given by the petitioners accepting to deposit any amount, the condition imposed by the Court below directing the petitioners to deposit Rs.5,000/- is unwarranted and the same is liable to be deleted. Accordingly, the said condition is ordered to be deleted. The petitioners are granted two weeks time, from the date of receipt of a copy of this order, to surrender before the concerned Court. Except the above modification, the order passed by the Court below shall remain unaltered in all other aspects.

With the above modification, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CO)

True Copy
सत्यमेव जयते
Sub Assistant Registrar

To,

1. The Principal District and
Sessions Judge,
Ariyalore.

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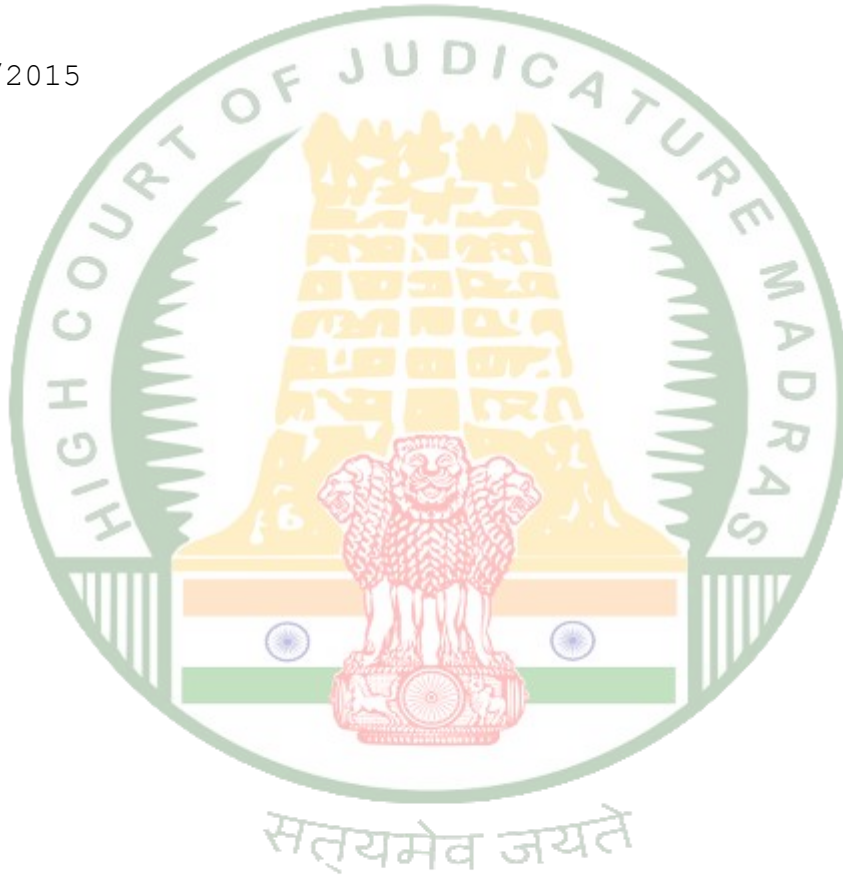
2.The Inspector of Police,
Ariyalore Police Station,
Ariyalore, Ariyalore District,

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Ramajayam, Advocate Sr.60239

Cr1.O.P.No.25809 of 2015

AR Co
srg 17/11/2015



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