

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

CrI.O.P.No.26053 of 2015

C.Rajasekar

... Petitioner

Vs.

State Rep. by Inspector of Police,
Palavanjipalayam Police Station,
Veerapandi.

(In Crime No.180 of 2015)

... Respondent

Prayer: Petition filed under Section 482 of the Criminal Procedure Code praying to modify the condition imposed on the petitioner by the learned Principle Sessions Judge, Tirupur, in Cr.M.P.No.1121 of 2015, vide order dated 01.10.2015.

For Petitioner : Mr.J.Franklin

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

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to modify the condition imposed on the petitioner by the learned Principle Sessions Judge, Tirupur, in Cr.M.P.No.1121 of 2015, vide order dated 01.10.2015.

2.The petitioner has been arrayed as an accused for the alleged offences punishable under Sections 307, 506(2) & 302 IPC in Crime No.180 of 2015 on the file of the respondent-Police. The petitioner has been in prison from 23.03.2015. The petitioner moved a bail application in CrI.M.P.No.1121 of 2015 before the learned Principal Sessions Judge, Tirupur. While granting bail to the petitioner by order dated 01.10.2015, the learned Principal Sessions Judge, Tirupur imposed the following conditions on the petitioner_

(1)the petitioner shall produce two sureties of blood relative for Rs.10,000/- each;

(2)the petitioner shall produce two sureties for Rs.50,000/- each;

(3)the petitioner shall report before the Tirupur West Police Station, thrice a day ie., at 10.30 am, 2.00 pm and 5.00 pm.

3.Now, it is submitted by the learned counsel for the petitioner that though bail was granted to the petitioner by the Court below, since the conditions imposed on the petitioner are onerous, the petitioner is unable to comply with the same and as such, he is languishing in the prison. Thus, he sought for modification of the conditions imposed on the petitioner by the Court below.

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

5.Considering the facts and circumstances of the case and considering the submissions made on either side, the conditions imposed on the petitioner by the Court below is modified to the following effect_

(i)The condition imposed on the petition directing him to furnish two securities for Rs.50,000/- each, is hereby ordered to be deleted.

(ii)The petitioner is directed to report before the respondent-Police, twice a day ie., at 10.30 am and 5.00 pm daily./

Except the above modification, the order passed by the Court below shall remain unaltered.

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

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ssv

To,

1. The Principal Sessions Judge, Tiruppur.

2.The Inspector of Police,

Palavanjipalayam Police Station, Veerapandi.

3.The Public Prosecutor,

High Court, Madras.

+ 1 cc to Mr.s. Franklin, Advocate Sr.60533

CrI.O.P.No.26053 of 2015

SV(CO)

En 04.11.15

<https://hcservices.ecourts.gov.in/hcservices/>