

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE B. RAJENDRAN

CrI.O.P.No.27620/2015

Sridar

..Petitioner/Accused]

Vs

The Inspector of Police
Thittagudi Police Station
Cuddalore District.
[Cr.No.141/2014]

..Respondent/Complainant]

Criminal Original Petition filed under Section 439(1)(b) read with 482 of Criminal Procedure Code to modify the condition viz., to be released on bail on their each executing a bond for Rs.50,000/- together with two sureties each for a like sum to the satisfaction of this court and each of the sureties should produce original sale deed or patta for verification and further the petitioners are directed to appear before the respondent police daily at 10.00 a.m., until further orders, imposed by the learned Sessions Judge, Mahila Court, Cuddalore, in CrI.M.P.No.906 of 2014 in Cr.No.141 of 2014, dated 19.11.2014.

For Petitioner : Mr.K.Gandhi Kumar

For Respondent : Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)

ORDER

The petitioner/accused has come forward with this petition seeking for the relief of modification of the condition imposed by the learned Sessions Judge, Mahila Court, Cuddalore, in CrI.M.P.No.906/2014 in Cr.No.141 of 2014 vide order dated 19.11.2014.

2. Mr.K.Gandhi Kumar, the learned counsel appearing for the petitioner would submit that the petitioner along with another accused were released on bail by the learned Sessions Judge, Mahila Court, Cuddalore, in CrI.M.P.No.906/2014 in Cr.No.141 of 2014, by order dated 19.11.2014, on condition that they shall execute a bond for Rs.50,000/- together with two sureties each for a like sum to the satisfaction of this court and each of the sureties should produce original sale deed or patta for verification and further the petitioners are directed to appear before the respondent police daily at 10.00 a.m., until further orders. He would further submit that the

petitioner could not comply with the stringent condition of executing the bond for Rs.50,000/-, because, he is poor and he has no wherewithal and his friends are only taking steps to take him on bail and they do not own any property and therefore, the sureties could not produce the original sale deed or patta for verification, hence, the petitioner could not come out on bail and hence, he is languishing in jail for more than one year, though, bail was granted on 19.11.2014 and hence, sought for the modification of the bail conditions.

3. Mr.M.Mohamed Riyaz, the learned Government Advocate (Criminal Side) would submit that the petitioner has been granted statutory bail on 19.11.2014, but, since, he has not complied with the bail conditions, he has been languishing in jail for the past more than one year.

4. Taking into consideration of the fact that the petitioner is seeking for the relief of modification of the bail conditions on the ground of no wherewithal, this Court is inclined to modify the bail conditions imposed by the learned Sessions Judge, Mahila Court, Cuddalore, in CrI.M.P.No.906 of 2014, dated 19.11.2014, on the petitioner alone. Accordingly, the condition imposed on the petitioner herein alone is modified and the petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahila Court, Cuddalore and the petitioner is directed to appear before the respondent police daily morning at 10.30 a.m. for a period of four weeks and thereafter, he shall make himself available for interrogation before the respondent police as and when required.

5. The Criminal Original Petition is ordered accordingly.

Paa

Sd/-

Assistant Registrar (Cs-II)

सत्यमेव जयते

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Sub-Assistant Registrar

To

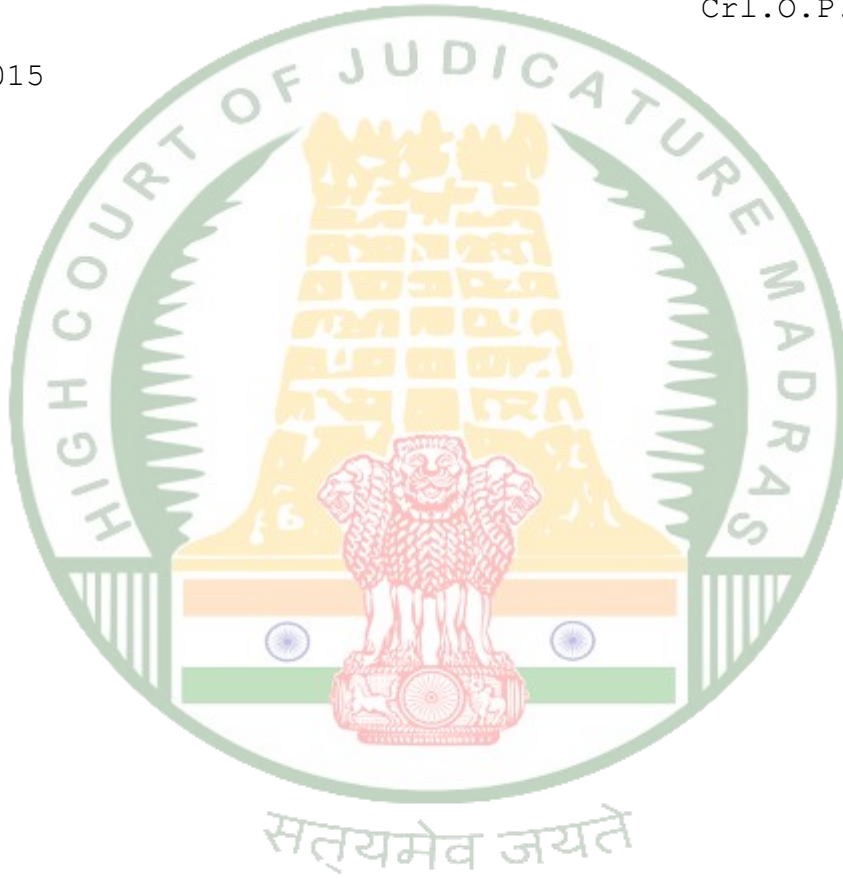
1. The Inspector of Police
Thittagudi Police Station
Cuddalore District.

2. The Sessions Judge
Mahila Court
Cuddalore.
3. The Public Prosecutor,
High Court of Madras,
Chennai.

+1 C.C. To MR.K.Gandhikumar, Advocate in SR.NO.68797
+1cc to Mr.K.Gandhikumar, Advocate sr.22066[22/12/2015]

Cr1.O.P.No.27620/2015

SD : 21/12/2015



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