

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.27845 of 2015

James

...Petitioner

Vs

State rep. by
The Inspector of Police,
Kangayam Police Station,
Kangayam, Tirupur District.
(Crime No.430 of 2015)

...Respondent

Criminal Original Petition filed under Section 482 Cr.P.C to set aside the order passed by the learned Principal Sessions Judge, Tiruppur, in Cr.M.P.No.1150 of 2015 in Crl.M.P.No.969 of 2015 dated 05.10.2015 and pleaded to modify the bail condition in Cr.M.P.No.969 of 2015, order dated 03.09.2015.

For Petitioner : Mr.M.Easan

For respondent : Mr.C.Emalias,
Addl.Public Prosecutor.

ORDER

This petition has been filed to modify the bail condition of the learned Principal Sessions Judge, Tirupur, in Cr.M.P.No.1150 of 2015 in Crl.M.P.No.969 of 2015, dated 05.10.2015 and modify the bail condition in Crl.M.P.No.969 of 2015, dated 03.09.2015.

2. The learned counsel for the petitioner submitted that the learned Principal Sessions Judge, Tiruppur, granted bail to the petitioner on 05.10.2015 for the alleged offence under sections 395 r/w.397 IPC. While granting bail, the said Court imposed a condition that the petitioner shall execute a bond for a sum of Rs.10,000/- with four sureties each for a

likesum and out of four sureties, two sureties shall be the blood relation of the petitioner and on further condition that the petitioner shall deposit a sum of Rs.25,000/- before the Judicial Magistrate-II, Tirupur and to appear before the respondent police daily twice at 10.00 a.m. and 5.00 p.m. until further orders. He further submitted that the petitioner was unable to comply with the said conditions, due to the onerous conditions imposed by the lower Court. Hence, the petitioner has filed Crl.M.P.No.1150 of 2015 before the Principal Sessions Judge, Tiruppur to modify the said condition. But the Principal Sessions Judge, Tiruppur has declined to modify the said condition by order dated 05.10.2015. Hence, the present petition. He further submitted that the petitioner was unable to comply with the said conditions, due to the onerous conditions imposed by the lower Court. Hence, the present petition.

3. Considering the submission made by the learned counsel for the petitioner, this Court is inclined to modify the condition imposed on the petitioner by the Principal District and Sessions Judge, Tiruppur. Accordingly, the condition imposed by the Court below by order dated 03.09.2015 is modified as follows:

i) Instead of executing a bond for a sum of Rs.10,000/-(Rupees ten thousand only) with four sureties each for a likesum, out of which, two sureties shall be the blood relation of the petitioner, the petitioner is directed to execute a bond for a sum of Rs.10,000/-(Rupees ten thousand only) with two sureties each for a likesum, out of which, one surety shall be the blood relation of the petitioner.

ii) The other conditions imposed on the petitioner remain unaltered.

4. The criminal original petition is ordered accordingly.

Sd/-

Assistant Registrar(CS-VI)

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Sub Assistant Registrar

vrc

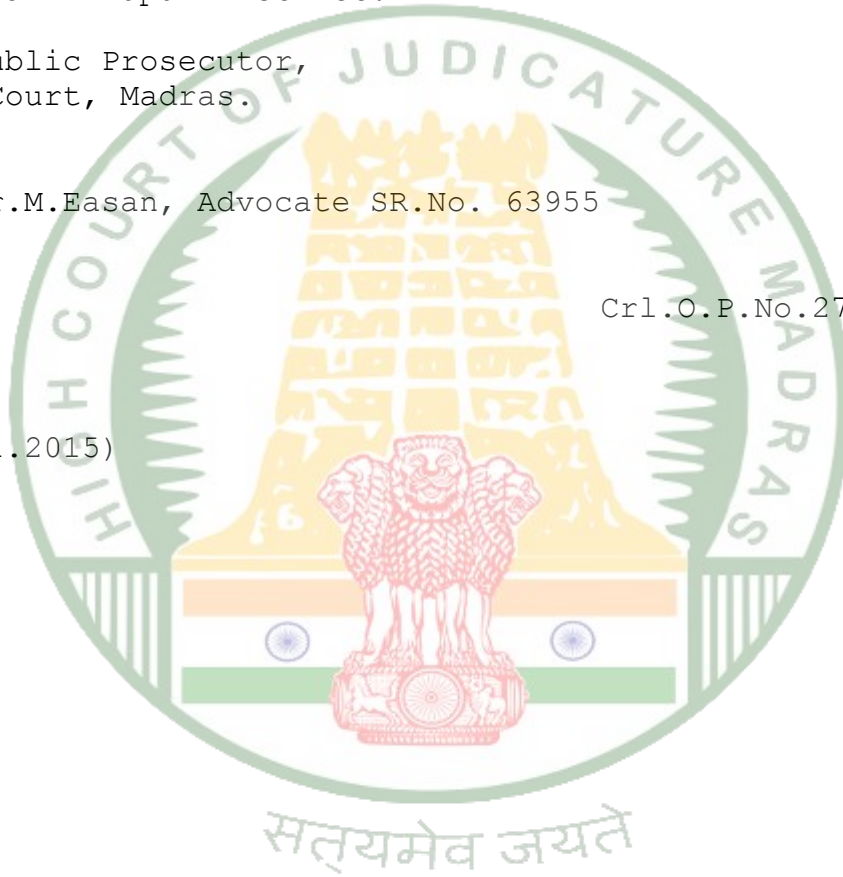
To

1. The Principal Sessions Judge,
Tirupur.
2. The Inspector of Police,
Kangayam Police Station,
Kangayam Tirupur District.
3. The Public Prosecutor,
High Court, Madras.

1 CC to Mr.M.Easan, Advocate SR.No. 63955

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PSI (27.11.2015)



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