

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2015

CORAM:

THE HON'BLE MR.JUSTICE R.SUBBIAH

Crl.O.P. No.8542 of 2015

Abbass @ Mohamed Abbass

... Petitioner/Accused

Vs.

State by,
The Inspector of Police,
South Central Police Station,
Tiruppur.
Crime No.20 of 2014

... Respondent/Respondent

Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., to modify the condition imposed in bail petition in Crl.M.P.No.9444 of 2014 dated 12.12.2014 by the learned Judicial Magistrate No.II, Tiruppur, by modifying executing personal own bond or family card by the Petitioner to the satisfaction of the Judicial Magistrate No.II, Tiruppur. Instead of one such surety should be a family member or close relative of the petitioner and the sureties should produce solvency Certificate issued by the concerned Tahsildar and also they should produce original documents of title to the satisfaction of the Judicial Magistrate No.I, Tiruppur in connection with Crime No.20 of 2014 on the file of the Inspector of Police, South Police Station(Central) Tiruppur District.

For Petitioner : Ms.G.Mageshwari

For Respondent : Mr.M.Mohamed Riyaz
Govt. Advocate (crl.side)

ORDER

This petition has been filed to modify the conditions imposed by the learned Judicial Magistrate No.II, Tiruppur, in Crl.M.P.No.9444 of 2014, dated 12.12.2014.

2. While granting bail, the learned Judicial Magistrate No.II, Tiruppur, has imposed certain condition stating that the petitioner should execute a bond for a sum of Rs.50,000/- with two sureties each for a likesum to the satisfaction of the said Magistrate and on further condition that one of the sureties should be a family member or close relative of the petitioner and the sureties should produce solvency certificate issued by the concerned Tahsildar and also they should produce original documents of title along with other usual conditions.

3. Learned counsel for the petitioner submitted that the petitioner is not having any immovable property and also not having the sureties who are owning immovable properties. Therefore, he sought for modification of the order passed by the learned Judicial Magistrate-II, Tiruppur, dated 12.12.2014.

4. Considering the submissions made by the learned counsel for the petitioner, the condition imposed on the petitioner in Cr.M.P.No.9444 of 2014 dated 12.12.2014, passed by the learned Judicial Magistrate-II, Tiruppur, that "the petitioner should execute a bond for a sum of Rs.50,000/- with two sureties each for a likesum to the satisfaction of the said Magistrate and on further condition that one of the sureties should be a family member or close relative of the petitioner and the sureties should produce solvency certificate issued by the concerned Tahsildar and also they should produce original documents of title" is modified as follows :

"The petitioner is directed to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty five thousand only) with two local sureties each for a like sum to the satisfaction of the Judicial Magistrate No.II, Tiruppur."

5. All the other conditions imposed in the order passed in Cr.M.P.No.9444 of 2014 by the learned Judicial Magistrate-II, Tiruppur, remain unaltered.

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

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Tiruppur.
2. The Judicial Magistrate No.I,
Tiruppur.
3. 1 & 2 Do Through The Chief Judicial Magistrate,
Tiruppur.
4. The Inspector of Police,
South Central Police Station,
Tiruppur.
5. The Public Prosecutor,
High Court, Chennai.

+1cc to M/s.G.Mageshwari, Advocate, S.R.No.21181

CRL. O.P. NO.8542 of 2015

CA (CO)
CA(23/04/2015)



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