



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2015

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WEB COPY

**THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN**

Cr1.O.P.(MD)No.24237 of 2015

Thotttiraja @ Thottiyathan : Petitioner/Petitioner

Vs.

State rep. by  
The Inspector of Police,  
Thiruvegampathur Police Station,  
Sivagangai District.

Crime No.136 of 2015 : Respondent/Respondent

PRAYER: Criminal Original Petition is filed under Section 439(1)(b) of the Code of Criminal Procedure praying to modify the condition imposed in Cr.M.P.No.3125 of 2015 dated 19.11.2015 by the learned Sessions Judge, Sivagangai.

For Petitioner : Mr.S.Mahendrapathy

For Respondent : Mr.K.Anbarasan

Government Advocate (Cr1. Side)

O R D E R

This application is filed seeking modification of the condition imposed in Cr.M.P.No.3125 of 2015 dated 19.11.2015 by the learned Sessions Judge, Sivagangai., directing the petitioner to get counter sign of the Deputy Tahsildar, who is officiating at the native place of the surety in the surety certificate and submit the same before the Judicial Magistrate, Devakottai for executing the bail bond.

2.The learned Sessions Judge, while granting bail to the petitioner, imposed a condition to get counter sign of the Deputy Tahsildar, who is officiating at the native place of the surety in the surety certificate and submit before the Judicial Magistrate, Devakottai.

3. The learned counsel for the petitioner submitted that the Deputy Tahsildar is not willing to make a counter sign and hence, the petitioner is not able to furnish sureties as ordered by the lower court. He would further submit that the petitioner has a bank account and if he is permitted to get counter sign from the Bank Manager, it would be possible for him to get a counter sign and furnish sureties.

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

4. Heard the learned Government Advocate(Cr1.side) on the above said submissions.



5. Considering the facts and circumstances of the case, this Court permits the petitioner to obtain a counter sign of the Bank Manager to ensure that the petitioner is residing in the above said address. If the petitioner produces the counter sign of the Bank Manager before the lower court, the Judicial Magistrate, Devakottai, is directed to accept the same. The other conditions shall stand unaltered and the petitioner shall comply with the other conditions.

6. This Criminal Original Petition is ordered accordingly.

Sd/-  
Assistant Registrar (CS-I)

/True Copy/

Sub-Assistant Registrar

To,

1. The Sessions Judge, Sivagangai.
2. The Judicial Magistrate, Devakottai
3. The Inspector of Police,  
Thiruvegampathur Police Station Sivagangai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+One cc to Ms. Mahendrapathy, Advocate, SR.No.75817

CM  
RL/6C/SKS/RR/5/1/2016

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