

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.10193 of 2016

Viji @ Vijayan

.. Petitioner

Vs

The State rep by
The Inspector of Police,
Gomangalam Police Station,
Pollachi.

.. Respondent

Criminal Original petition filed under Section 482 of Cr.P.C., to set aside the condition imposed by the learned Judicial Magistrate-II, Pollachi in CMP.No.1222 of 2016 and may permit the petitioner condition to execute the sureties from outside the jurisdiction of concern Judicial Magistrate.

For Petitioner : Mr.A.Raja Mohamed
For Respondent : Mr.C.Emalias, APP

O R D E R

This petition has been filed to set aside the conditional order dated 01.03.2016 in CMP.No.1222 of 2016 passed by the learned Judicial Magistrate-II, Pollachi.

2. Heard the learned counsel for the petitioner; learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

3. It is seen that this petitioner is facing prosecution in Crime No.150 of 2015 for offences under Sections 392, 395 and 397 IPC. This petitioner was granted statutory bail under Section 167[2] Cr.P.C. by the Judicial Magistrate-II, Pollachi, on condition that he should furnish a bond for Rs.10,000/- with two sureties of whom, one should be his parent or wife and other should be a local surety. Aggrieved by the aforesaid conditions, the petitioner is before this Court, contending that his parents have died and that the petitioner is a bachelor.

4. Learned Additional Public Prosecutor on instructions, affirms that there were several cases of dacoity pending against this petitioner.

5. Taking into consideration the nature of allegations against this petitioner, this Court modifies the condition passed by the learned Judicial Magistrate-II, Pollachi in CMP.No.1222 of 2016 dated 01.03.2013 to the following effect that the petitioner shall furnish a bond for Rs.10,000/- with two local sureties. Rest of the conditions shall remain the same.

With the above modification, this petition is ordered accordingly.

gya

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1.The Judicial Magistrate-II,
Pollachi.

2.The Inspector of Police,
Gomangalam Police Station,
Pollachi.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.A.Raja Mohamed, Advocte SR 34169

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