

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.05.2016

CORAM:

THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Crl.O.P.No.10441 of 2016

Elaiyaraja

... Petitioner/Accused

Vs.

State by

The Inspector of Police.

P.E.W. Ariyalur Police Station,

Ariyalur District.

... Respondent/Complainant

Prayer: Petition filed under Section 482 of the Criminal Procedure Code to modify the bail condition imposed in Crl.M.P.No.263 of 2016 dated 26.04.2016 by the learned Principal District Judge, Ariyalur.

For Petitioner : Mr. R.Gokulakrishnan

For Respondent : Mr. M.Maharaja

Additional Public Prosecutor

ORDER

This criminal original petition is filed to modify the bail condition imposed in Crl.M.P.No.263 of 2016, dated 26.04.2016 by the learned Principal District Judge, Ariyalur.

2. The petitioner, who is arrayed as accused in Crime No.295 of 2016 on the file of the respondent police, was arrested on 04.04.2016 for the alleged offences under Sections 4(1)(a) r/w 4(1-A) of TNP Act.

3. The learned counsel appearing for the petitioner would submit that the learned Principal District Judge, Ariyalur, granted bail to the accused and imposed conditions to execute bail bond for Rs.5,000/- and two sureties and one of the sureties should be the Government employee under direct services of the Government of Tamil nadu. The learned counsel appearing for the petitioner further submitted that the condition imposed by the learned Principal District Judge is

onerous and despite getting bail by the learned Magistrate on 26.04.2016, the petitioner is not able come out from jail till today.

4. The learned Additional Public Prosecutor vehemently opposed this petition contending that the petitioner is a habitual offender and he is also involved in 14 prohibition cases and conditions imposed by the learned Magistrate does not require any modification.

5. Considering facts and circumstances of the case, the condition imposed by the learned Magistrate is modified to the effect that the petitioner shall furnish a personal bond instead of one Government Surety and all the other condition imposed by the learned Magistrate remains unaltered.

The Criminal Original Petition is ordered accordingly.

-s/d-

Assistant Registrar/Vacation Officer

True Copy

Sub-Assistant Registrar

To

1.The Principal District Judge,
Ariyalur

2.The Inspector of Police
PEW Ariyalur Police Station
Ariyalur District

3.The Public Prosecutor
High Court Madras

+1 cc to Mr.R.Gokulakrishnan Advocate sr.28255

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