

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.22084 of 2016

R. Karthik

... Petitioner

Vs.

The State rep. by
The Sub Inspector of Police,
Viruthampet Police Station,
Vellore District.
Crime No.347 of 2016

... Respondent

Prayer:- Criminal Original Petition filed under Section 439(1)(b) of Cr.P.C., to direct the learned Principal Session Judge, Vellore, Vellore District to modify the conditions imposed in Crl.MP.No. 3163 of 2016 dated 10.08.2016 that "the petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- along with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.III, Vellore" instead of that it may be modified as furnish the cash surety worth about Rs.10,000/- each before the Court concern.

For Petitioner	: Mr.A.Rajesh Kanna
For Respondent	: Mr. C.Emalias
	Additional Public Prosecutor

ORDER

By order dated 10.08.2016 passed in Crl.MP.No.3163 of 2016, the Principal Sessions Judge, Vellore granted bail to the petitioner herein on certain conditions, one of which is that the petitioner executes a bond for a sum of Rs.10,000/- along with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.III, Vellore. Seeking to modify the said condition as one to furnish cash surety worth about Rs.10,000/- each before the Court concerned, this Criminal Original Petition has been filed.

2. The petitioner is the accused in Crime No.347 of 2016 under Section 399 IPC. He was granted bail by the Principal Sessions Judge, Vellore, Vellore District in CrI.MP.No.3163 of 2016 on 10.08.2016, on condition that he should execute a bond for a sum of Rs. 10,000/- along with two sureties for a like sum to the satisfaction of the Judicial Magistrate No.III, Vellore and on further conditions.

3. It is the case of the petitioner that he is not able to secure surety to the extent of Rs. 10,000/- as directed by the Principal Sessions Judge, Vellore and therefore, he prays for modification.

4. The fact remains that the petitioner was granted bail as early as on 10.08.2016 and till date, he has not been able to avail the bail order.

5. Under such circumstances, the condition imposed by the Principal Sessions Judge is modified to the effect that the petitioner shall be enlarged on bail on the deposit of Rs.10,000/- before the Judicial Magistrate No.III, Vellore and on further condition that he shall execute a bond for Rs.1,000/- (Rupees one thousand only) with two sureties, of whom, one surety should be a blood relative with Ration Card. The sureties shall produce sufficient materials before the Judicial Magistrate No.III, Vellore to show their permanent residence. Rest of the conditions imposed by the Principal Sessions Judge, Vellore, shall be maintained.

With the above directions, this criminal original petition is disposed
of.

29.09.2016

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Note:- Issue order copy on 30.09.2016

To

1. The Sub Inspector of Police,
Viruthampet Police Station,
Vellore District.
2. The Principal Sessions Judge,
Vellore.
3. The Judicial Magistrate No.III,
Vellore.
4. The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH,J.

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