

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.12253 of 2016

Vimal Babu

..Petitioner/Accused

Vs.

State by,

The Inspector of Police,

K3, Aminjikarai Police Station,

Crime No.2889 of 2014

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 439(1) (b) of the Code of Criminal Procedure praying to modify the condition imposed by Hon'ble V Metropolitan Magistrate, Egmore in the modified bail order in Crl.M.P.No.587 of 2016 dated 28.03.2016.

For Petitioners ::M/s.S.Silambu Selvan

For Respondent :: Mr.C.Emalias

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed praying to modify the conditions imposed by the learned V Metropolitan Magistrate, Egmore, in the bail modification order in Crl.M.P.No.587 of 2016 dated 28.03.2016.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondents.

3. It is seen that this petitioner, who is facing prosecution in Crime No.2889 of 2014, for the offences under Sections 341, 294(b), 336, 397 & 506(ii) IPC, was arrested on 18.11.2015 and was in incarceration since then. The petitioner was granted bail by the learned V Metropolitan Magistrate in Crl.M.P.No.2707 of 2015 on 17.12.2015, on condition that he should execute a bond for Rs.5,000/- each with two sureties, of which, one surety should be a blood relative and another surety should be a person known to the petitioner. Since the petitioner was not able to furnish surety, on the ground that he has no blood relative, he filed

a modification petition in Crl.MP.No.587 of 2015, and the learned V Metropolitan Magistrate, by order dated 28.03.2016, modified the order and directed the petitioner to furnish a bond for Rs.5,000/- with two sureties, who shall be the residents of Sekkadu Village, Thiruvannamalai District.

4. The learned counsel appearing for the petitioner submits that the petitioner earlier resided at Sekkadu Village, Thiruvannamalai District and now, he is residing at Tondiarpet, Chennai. The police have also completed the investigation and filed a final report.

5. Under such circumstances, the condition imposed by the learned V Metropolitan Magistrate, Egmore, in Crl.MP.No.587 of 2016 dated 28.03.2016 is modified to the effect that the petitioner shall execute a bond for Rs.5,000/- with two solvent sureties, and the trial Court before accepting the sureties, shall order notice to the respondent Police and verify the antecedents of the sureties, and only then the sureties shall be accepted. The petitioner shall appear before the respondent Police after his release, daily at 10.00 a.m. and 5.00 p.m., until further orders.

With this observation, this petition is disposed of accordingly.
ds

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
K3, Aminjikarai Police Station,
Chennai.

2.The V Metropolitan Magistrate
Egmore, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+ 1 cc to M/s.S.Silambu Selvan, Advocate Sr 33993

KR/6/7/16

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