

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.12871 of 2016

Raja

.. Petitioner/Accused

Vs.

The Inspector of Police,
PWE Vellore Police Station,
Vellore District.
(Cr.No.81/2016)

.. Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 439 (1) (b) r/w 482 Cr.P.C., praying to modify the condition i.e., the petitioner/accused was ordered to be released on bail on his executing a bond for Rs.10,000/- with two local sureties (Vellore), but one surety, Government surety. Further, on condition that the petitioner/accused shall stay at Vellore and is directed to appear and sign before this respondent-Police, Katpadi, daily at 10.00 a.m. and 5.00 p.m until further order in CMP.No.1976 of 2016, dated 02.06.2016 passed by the learned Judicial Magistrate, Katpadi, Vellore.

For Petitioners :: Mr.K.Gandhikumar

For Respondent :: Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to modify the conditions imposed by the learned Judicial Magistrate, Katpadi, Vellore in CMP.No.1976 of 2016 on 02.06.2016.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. It is seen that this petitioner was arrested on 01.03.2016 and was released on bail in CMP.No.1976 of 2016 by the learned Judicial Magistrate, Katpadi, Vellore District, on condition that he should furnish a bond for Rs.10,000/- with two sureties, who must hail from Vellore District, and that one of the surety should be a Government servant.

4. According to the learned counsel for the petitioner, no Government servant has come forward to give surety, and therefore, he is not able to execute a bond. The learned Additional Public Prosecutor submitted that there are three cases against this petitioner and that the co-accused, who was released on bail in this case, also not complied with the bail conditions.

5. Under such circumstances, this is not a fit case to interfere and hence this Criminal Original Petition is dismissed. However, liberty is given to the petitioner to approach the Judicial Magistrate Court, Katpadi, Vellore and file an application for modification of the order dated 02.06.2016 in CrI.M.P.No.1976 of 2016.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ds

To

1. The Judicial Magistrate, Katpadi, Vellore.
- 2.The Inspector of Police,
PWE Vellore Police Station, Vellore District.
- 3.The Public Prosecutor, High Court, Madras.

+ 1 cc to MR.K. Gandhikumar, Advocate SR.34071

सत्यमेव जयते

CrI.O.P. No.12871 of 2016

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Eu 20.7.16

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