

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.OP.No.13132 of 2016

Mumthaj Beevi

..Petitioner

Vs.

Rep by the Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai-6.

..Respondent

Criminal Original Petition filed under Section 439[i][b] Cr.P.C., to modify the conditions imposed on the petitioner by way of order dated 05.01.2016 in Crl.M.P.No.1416 of 2015 on the file of the learned XIV Metropolitan Magistrate, Egmore, Chennai for production of two sureties for a sum of Rs.25,000/- each, out of which one shall be a blood relative.

For Petitioner : Mr.K.Surendar

For Respondent : Mr.C.Emalias,
Addl.Public Prosecutor

ORDER

This petition has been filed to modify the conditional order dated 05.01.2016 in Crl.M.P.No.1416 of 2015 passed by the learned XIV Metropolitan Magistrate, Egmore, Chennai.

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 was arrested on 24.11.2015 for the offences under Sections 420 and 380 IPC and was released on bail on 05.01.2016 by the learned XIV Metropolitan Magistrate, Egmore in Crl.M.P.No.1416 of 2015 on the following conditions:

"[a] The petitioners have to execute a bond for Rs.25,000/- along with two sureties like sum in which one surety must be blood relation.

[b] The petitioners have to appear this Court regularly 10.30 a.m. for 15 days without fail."

4. Learned counsel for the petitioner submitted that since there are no blood relatives for the petitioner to stand as surety, she is not able to avail of the bail order, though it was granted as early as on 05.01.2016.

5. Learned Additional Public Prosecutor submitted that charge sheet has not been filed.

6. Taking into consideration this fact and also the fact that the petitioner should not produce any bogus surety, this Court modifies the aforesaid condition as follows:

"[a] The petitioner should execute a bond for Rs.25,000/- along with two solvent sureties and the learned Magistrate shall order notice to the respondent police to verify about the sureties before acceptance.

[b] On release, the petitioner shall appear before the respondent police daily at 10.30 a.m. for a period of 30 days and thereafter, as and when required."

With the above modification, this petition is ordered.

gya

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

1.The Inspector of Police,
F-4, Thousand Lights Police Station,
Chennai-6.

2.The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.K.Surendar, Advocate Sr 35278

KR/5/7/16

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