

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.1789 of 2016

Abdul

...Petitioner/Accused

Vs.

State rep. by
The Inspector of Police,
Palladam Police Station,
Tiruppur District.

...Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the order passed by the learned Principal Sessions Judge, Tiruppur in Cr.M.P.No.1221 of 2015 on 28.10.2015 enabling the petitioner to give two sureties of close relatives and local resident with proper proof of residence like ration card without insisting solvency certificate and house tax receipt.

For Petitioner : Mr.S.P.Meenakshi Sundaram

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

ORDER

The present criminal original petition has been filed seeking to modify the order passed by the learned Principal Sessions Judge, Tiruppur in Cr.M.P.No.1221 of 2015 on 28.10.2015 enabling the petitioner to give two sureties of close relatives and local resident with proper proof of residence like ration card without insisting solvency certificate and house tax receipt.

2. The petitioner is an accused in Crime No.1033 of 2015 on the file of the respondent police for the alleged offence punishable under Section 307 I.P.C. and he was arrested on 25.8.2015. Thereafter, he approached the learned Principal Sessions Judge, Tiruppur, by filing an application in

Cr.M.P.No.1221 of 2015 seeking bail and the learned Principal Sessions Judge, Tiruppur, by an order dated 28.10.2015 granted bail to the petitioner on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- with two sureties each for a like sum and shall also execute a bond for a sum of Rs.10,000/- with one surety, who must be a blood relative, for a sum of Rs.10,000/- (totally 3 sureties) to the satisfaction of the learned Judicial Magistrate, Palladam. To modify the said condition, the petitioner has come up with the present petition.

3. Learned counsel appearing for the petitioner submitted that since the condition imposed by the learned Principal Sessions Judge, Tiruppur is onerous one, the petitioner is unable to comply with the same and hence, he is inside the prison for the past five months.

4. I have heard the learned Additional Public Prosecutor.

5. In view of the submissions made on either side, the condition imposed by the learned Principal Sessions Judge, Tiruppur, dated 28.10.2015 in Cr.M.P.No.1221 of 2015 viz., " the petitioner shall execute a bond for a sum of Rs.50,000/- with two sureties each for a like sum and shall also execute a bond for a sum of Rs.10,000/- with one surety, who must be a blood relative, for a sum of Rs.10,000/- (totally 3 sureties) to the satisfaction of the learned Judicial Magistrate, Palladam", is hereby deleted and instead, " the petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for the like sum, out of which, one surety should be a blood relative, to the satisfaction of the learned Judicial Magistrate, Palladam. " Except this modification, the other conditions remain unaltered. The petition is ordered accordingly.

sbi

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal Sessions Judge, Tiruppur.

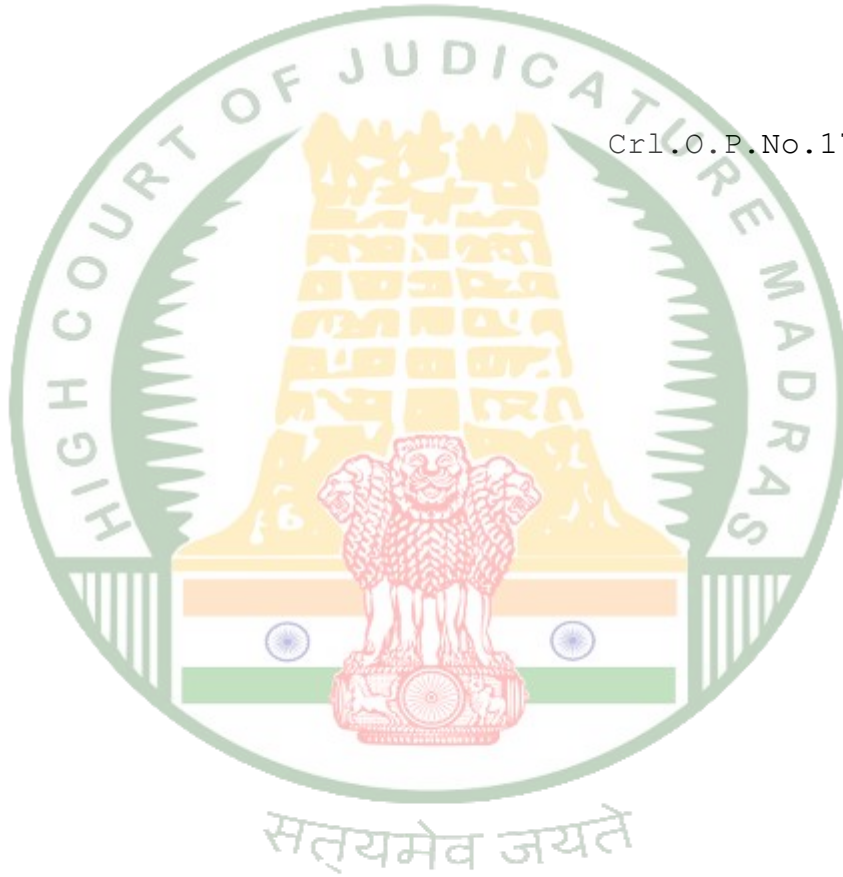
2.The Judicial Magistrate, Palladam.

3.The Inspector of Police,
Palladam Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.S.P.Meenakshi Sundaram, Advocate Sr 5384

KR/2/2/16



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