

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.OP.No.20118 of 2016

1.Thangam

2.Siva

... Petitioners

Vs

The Station House Officer,

Inspector of Police,

Thiruvallur Town Police Station.

... Respondent

Criminal Original Petition filed under Section 439[i][b] Cr.P.C., to modify the condition imposed by the learned Judicial Magistrate No.1, Thiruvallur in Crl.M.P.No.5731 of 2016 dated 22.08.2016.

For Petitioners : Mr.T.Arul

For Respondent : Mr.C.Emalias, APP

ORDER

This petition has been filed to modify the condition imposed by the learned Judicial Magistrate No.1, Thiruvallur in Crl.M.P.No.5731 of 2016 dated 22.08.2016.

2. Heard the learned counsel for the petitioners; learned Additional Public Prosecutor and perused the materials placed on record.

3. It is seen that these petitioners are accused for offences under section 454 and 380 of IPC and were arrested on 16.07.2016. The learned Judicial Magistrate No.1, Thiruvallur has granted bail to the petitioners, on condition that they should execute a bond for Rs.25,000/- with two sureties. One of the surety shall be a blood relative and one of the surety should prove solvency, with further condition that the petitioners shall appear before the Investigating Officer every day at 10.00 A.M. and 05.00 p.m., until further orders.

4. Learned counsel for the petitioners submitted that the petitioners are not able to secure the solvent surety for Rs.25,000/- and therefore, prays for modification of the order.

5. Learned Additional Public Prosecutor has submitted that there are previous cases against these petitioners.

6. The fact remains that these petitioners were granted bail on 22.08.2016 and till date, they are not able to enjoy the bail order in view of the aforesaid reasons. Under such circumstances, the order dated 22.08.2016

passed by the learned Judicial Magistrate No.1, Thiruvallur is modified to the effect that the petitioners shall execute a bond for Rs.10,000/- with two sureties and one of the surety shall be a blood relative and one of the surety to prove his solvency. The other conditions stipulated therein shall remain the same.

With the above modification, the petition is ordered accordingly.

06.09.2016

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Note : Issue on 07.09.2016

To

1.The Judicial Magistrate No.1,
Thiruvallur.

2.The Inspector of Police,
Thiruvallur Town Police Station.

3.The Public Prosecutor,
High Court, Madras.

P.N.PRAKASH, J.

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