

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.OP.No.20131 of 2016

Radhakrishnan

... Petitioner/Accused

Vs

The Station House Officer,
Inspector of Police,
Thiruvallur Town Police Station. ... Respondent/Complainant

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.5939 of 2016 dated 22.08.2016.

For Petitioner : Mr.T.Arul

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

ORDER

This petition has been filed to modify the condition imposed by the learned Judicial Magistrate No.1, Thiruvallur in Crl.M.P.No.5939 of 2016 dated 22.08.2016.

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

3. It is seen that this petitioner is an accused for offences under section 454 and 380 of IPC and was arrested on 16.07.2016. The learned Judicial Magistrate No.1, Thiruvallur has granted bail to the petitioner, on condition that he 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 petitioner 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 petitioner submitted that the petitioner is 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 this petitioner.

6. The fact remains that the petitioner was granted bail on 22.08.2016 and till date, he is 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 petitioner 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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Judicial Magistrate No.1,
Thiruvallur.
- 2.Do- Through The Chief Judicial Magistrate,
Thiruvallur.
- 3.The Inspector of Police,
Thiruvallur Town Police Station.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.T.Arul, Advocate, S.R.No.50427

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CA(07/09/2016)