

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.22707 of 2016

1.Somasundaram
2.Sundaresan

...Petitioners/Accused 1 & 2

versus

Stae Rep. by
The Inspector of Police,
District Crime Branch,
Dharmapuri District.

....Respondent

Prayer:

This petition is filed under Section 482 Cr.P.C. praying to modify the surety condition imposed by learned Judicial Magistrate No.II, Dharmapuri, while granting bail to the petitioners in Crl.M.P.No.3964 of 2016 on 23.09.2016 that they should furnish a government surety for their release on bail.

For Petitioners : Mr.V.Sakkarapani

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

ORDER

This criminal original petition has been filed seeking to modify the surety condition attached to the order of bail granted in Crl.M.P.No.3964 of 2016 on 23.09.2016 by the learned Judicial Magistrate No.II, Dharmapuri.

2. The petitioners have been granted bail by the learned Magistrate on condition that they should furnish a bond for a sum of Rs.10,000/- each with two sureties of whom one surety

must be a government servant.

3. The learned counsel for the petitioners submitted that though bail was granted as early as on 23.09.2016, the petitioners were not able to avail the order of bail as no government service is coming forward to stand surety for them.

4. The allegation against the petitioners is that the 1st petitioner was running a bank in the name of "YES ABS Bank" which is phonetically and deceptively similar to that of the complainant bank and on the complaint of the Branch Manager of Yes Bank, the police have registered a case in Crime No.6 of 2016 for offences under Sections 120-B, 465, 468, 471, 482, 489 and 420 of IPC against the petitioners and that they were arrested and remanded to judicial custody.

5. Taking into consideration of the facts and circumstances of the case and in the interest of justice, this court is inclined to modify the condition.

6. In the result, this criminal original petition is allowed and the condition attached to the order of bail granted by the trial court is modified and that the petitioners shall be released on bail on their executing a bond for a sum of Rs.10,000/- each with two sureties of whom one surety shall be a parent of the respective petitioner to the satisfaction of the Judicial Magistrate No.II, Dharmapuri. The rest of the conditions imposed by the learned Magistrate shall remand the same.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

सत्यमेव जयते

kmk

To

1.The Judicial Magistrate No.II,
Dharmapuri,
Dharmapuri Dist.

WEB COPY

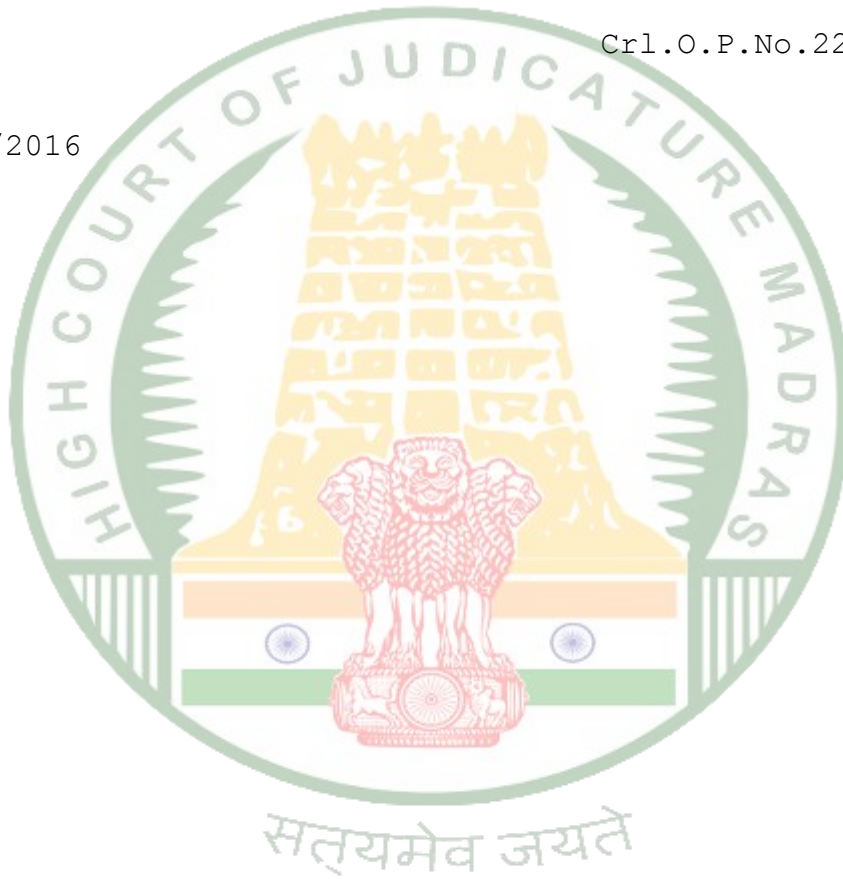
2.The Inspector of Police,
District Crime Branch,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

1CC to Mr.V.Sakkarapani, Advocate, SR 57504

Cr1.O.P.No.22707 of 2016

CTR (CO)
PSI 07/10/2016



WEB COPY