

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.23775 of 2016

K.Senthilkumar

... Petitioner

Vs

State by

The Inspector of Police

Sulur Police Station

Coimbatore District.

(Crime No.592/15)

.... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to modify the bail condition imposed in Crl.M.P.No.1549 of 2016 dated 26.07.2016 by the Principal District and Sessions Court, Coimbatore District.

For Petitioner : Mr.P.Pugalenth

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This criminal original petition has been filed to modify the bail condition imposed in Crl.M.P.No.1549 of 2016 dated 26.07.2016 by the Principal District and Sessions Court, Coimbatore District.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the State.

3. It is seen that the petitioner is A8 in Sulur Police Station Crime No.592 of 2015 which relates to three murder cases. The petitioner was arrested by the respondent police and was enlarged on bail by the First Additional District & Sessions Judge (Principal District & Sessions Judge (I/c), Coimbatore in Crl.M.P.No.1549 of 2016 dated 26.07.2016 on the following conditions:

"The petitioner in C.M.P.1549/2016, 1601/2016 and 1602/2016 are ordered to be enlarged on bail on their executing a bond for Rs.1,00,000/- each with two sureties (one surety must be blood relative) for a like sum each to the satisfaction of Judicial Magistrate No.7, Coimbatore."

4. The petitioner has filed the present modification

petition on the ground that he is not able to secure two sureties for a sum of Rs.1,00,000/- and therefore this Court is of the view of deducting the bond amount.

5. Learned Additional Public Prosecutor submitted that the petitioner is involved in three earlier cases and strongly objected to the reduction of the bond amount.

6. This Court gave its anxious consideration to the rival submissions.

7. The fact remains that this petitioner has been granted bail by the First Additional District & Sessions Judge (Principal District & Sessions Judge (I/c), Coimbatore, by well considered order and the prosecution has not filed any application for cancellation of bail. That apart, the bail was granted by the trial Court on 26.07.2016, despite which the petitioner is not able to avail the fruits of the bail order, as he is not able to secure the necessary sureties.

8. In the light of the above, this Court reduces the bond amount from Rs.1,00,000/- to Rs.50,000/-. Rest of the conditions imposed by the First Additional District & Sessions Judge, Coimbatore shall remain the same.

With the above modification, this petition is ordered.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

To

1.The First Additional District & Sessions Judge,
Coimbatore.

2. The Inspector of Police
Sulur Police Station
Coimbatore District.

3. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.P.Pugalenth,advocate,sr.62584.

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