

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.2527 of 2016

1.Ayyanar @ Anandraj
2.Rajesh
3.John
4.Kumaresan
5.Jagan
6.Karthik
7.Parthiban

... Petitioners/Accused

Vs.

State rep. by Inspector of Police
R11 Royala Nagar Police Station
Thiruvallur District.
Crime No.1598 of 2015

... Respondent/Complainant

Prayer:- Petition has been filed under Section 482 of Cr.P.C. to modify the order dated 11.01.2016 made in Crl.MP.No.95 of 2016 on the file of the Principal District and Sessions Judge at Thiruvallur.

For Petitioner : Mr.P.Chandrasekar

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

O R D E R

This petition is filed to modify the condition imposed on the petitioners in Crl.M.P.No.95 of 2016, dated 11.01.2016 on the file of the Principal District and Sessions Court, Thiruvallur.

2.Learned counsel for the petitioners submits that the petitioners who were arrayed as A1 to A7 were enlarged on bail by the Principal District and Sessions Court, Thiruvallur in Crl.M.P.No.95 of 2016 on condition to execute a bond for Rs.25,000/- with sureties (one surety must be blood relative) for a likesum each to the satisfaction of Judicial Magistrate No.I, Poonamallee. He would further submit that since the petitioners were in jail for 235 days they were unable to

mobilize funds and hence, they were not in a position to execute the bond for Rs.25,000/-. He further submitted that the petitioners filed a petition in CrI.M.P.No.342 of 2016 to modify the order made in CrI.M.P.No.95 of 2016. The Trial Court after considering the gravity of the offence and facts and circumstances of the case, has dismissed the petition stating that there is no merits in the petition. Hence, the above petition has been filed.

3.Heard the learned Additional Public Prosecutor appearing for the respondent and perused the typed set of papers.

4.It is not the case that the Trial Court has directed the petitioners to deposit the amount before the Court but whereas the Trial Court has granted bail to the petitioners on condition that they must execute a bond for Rs.25,000/- with two sureties (one surety must be blood relative) for a likesum each to the satisfaction of Judicial Magistrate No.I, Poonamallee and report before the I.O daily at 10.30 a.m. until further orders.

5.Considering the same along with the gravity of the offence, I am of the view that the order passed by the Trial Court does not require any re-consideration and hence, the order passed by the learned Principal District and Sessions Judge at Thiruvallur is a well reasoned one. Therefore, the Criminal Original Petition deserves to be dismissed as devoid of merits.

6.In the result, the Criminal Original Petition is dismissed.
cse

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

- 1 .The Principal District and Sessions Judge, Thiruvallur.
2. The Judicial Magistrate No.1, Poonamallee.
3. do thro the Chief Judicial Magistrate, Thiruvallur District.
4. The Inspector of Police, R11, Royala Nagar Police Station, Thiruvallur District.
- 5.The Public Prosecutor, High Court, Chennai.

sai(co)
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CrI.O.P.No.2527 of 2016