

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.26393 of 2016

1.Puratchi Dharmaligam
2.Prabakaran
3.Lenin @ Neppoliyan
4.Dhanalakshmi
5.Maha @ Mahalakshmi
6.Anitha

.... Petitioners

(cause title amended as per order
dated 19.12.2016 made in Crl.M.P.
No.13479 of 2016)

Vs

The State, rep by
The Sub Inspector of Police,
Keelapalur Police Station,
Ariyalur District.
(Crime No.340/16)

.... Respondent

Criminal Original Petition filed under Section 482
Cr.P.C. to modify the condition imposed in Cr.M.P.No.899 of 2016
dated 25.11.2016 on the file of the learned Principal District
and Sessions Judge, Ariyalur, to the effect that permit the
petitioners to execute common sureties instead of each two
sureties on the petitioners.

For Petitioners : Mr.C.Prabakaran

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

ORDER

The present criminal original petition has been filed
to modify the condition imposed in Cr.M.P.No.899 of 2016 dated

25.11.2016 on the file of the learned Principal District and Sessions Judge, Ariyalur, to the effect that to permit the petitioners to execute common sureties instead of each two sureties on the petitioners.

2. It is the case of the petitioners that apprehending arrest at the hands of the respondent police, they have moved an anticipatory bail petition in Cr.M.P.No.899 of 2016 before the learned Principal District and Sessions Judge, Ariyalur, and the learned Judge, by order dated 25.11.2016, granted anticipatory bail to the petitioners on certain conditions. One of the conditions is that the petitioners shall be released on bail in the event of their arrest, on their executing a bond for a sum of Rs.5,000/- along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Ariyalur. Since all the petitioners are belonging to one and the same family, they are unable to arrange separate two sureties for each of them. In view of the same, they are not in a position to avail the benefit of the said order. Hence, seeking modification of the said order, the petitioners have come up with the present petition.

3. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioners.

4. Considering the facts and circumstances of the case, this Court is inclined to permit the petitioners to execute three common sureties instead of two separate sureties. However, instead of a sum of Rs.5,000/-, the petitioners shall execute a bond for a sum of Rs.25,000/- each.

5. Accordingly, the condition imposed on the petitioners in Cr.M.P.No.899 of 2016 dated 25.11.2016, viz., " the petitioners shall be released on bail in the event of their arrest, on their executing a bond for a sum of Rs.5,000/- along with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Ariyalur, " is hereby modified as follows:-

" The petitioners / accused shall be released on bail, in the event of their arrest, on executing a common bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with three common sureties for the like sum to the satisfaction of the learned Judicial Magistrate No.II, Ariyalur. Further, the petitioners are granted two weeks time from today (19.12.2016) to surrender before the learned Magistrate. "

The other conditions shall remain unaltered. The criminal original petition is ordered accordingly.

sbi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Judge,
Ariyalur.
- 2.The Sub Inspector of Police,
Keelapalur Police Station,
Ariyalur District.
(Crime No.340/16)
3. The Judicial Magistrate No.II, Ariyalur.
4. The Chief Judicial Magistrate, Ariyalur.
- 5.The Public Prosecutor, High Court, Madras.
- + 1 cc to Mr.C.Prabakaran, Advocate Sr 73916

KR/20/12/16

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