

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.12.2016

CORAM:

THE HON'BLE DR.JUSTICE P.DEVADASS

Crl.O.P. No.27043 of 2016

S.Jayakumar

... Petitioner/accused

Vs.

State represented by
Inspector of Police
Thudiyalur Police Station
Coimbatore District.

... Respondent/Complainant

Criminal Original Petition filed under Section 439(1) r/w 482 of the Code of Criminal Procedure, to reduce the condition (ii) the petitioners are ordered to be enlarged on bail on their executing a bond for Rs.10,000/- each with two sureties for the satisfaction of Judicial Magistrate No.II for the order dated 03.12.2016 made in Crl.MP.No.3157 of 2016 in Crime No.831 of 2016 on the file of the Learned Principal District & Sessions Judge, Coimbatore and modify the same enabling the petitioner and enlarging on bail by allowing this Criminal Original Petition.

For Petitioner : Mr.J.Stalin
For Respondent : Mr.R.Sekar
Govt.Advocate (Crl.side)

O R D E R

This petition is for relaxation of certain portions of the bail conditions imposed by the learned Principal Sessions Judge, Coimbatore in Crl.M.P.No.3157 of 2016 dated 03.12.2016.

2. The learned Judge directed the petitioner to execute a bond for Rs.10,000/- and also directed him to appear before the respondent police daily at 10 a.m. for 30 days.

3. On reading the bail order copy of the learned Principal Sessions Judge, it is seen that quarrel arose between spouses. The learned Judge remanded the matter for simple injury and it is also over.

4. Under such circumstances, the learned Judge directing the petitioner to appear before the respondent police daily at 10 a.m. for 30 days is not necessary, since there is non-application of mind and mechanical imposition of the bail condition. It is an harsh condition.

5. Under such circumstance, it is ordered as under:

(i) In the Anticipatory bail passed by the learned Principal Sessions Judge, Coimbatore in CrI.MP.No.3157 of 2016 dated 03.12.2016, the sureties amount is reduced to Rs.5,000/-.

(ii) The condition to appear before the respondent police daily at 10.00 a.m. for a period of 30 days is deleted. Instead he should appear before the respondent, as and when required for interrogation.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1. The Principal District Sessions Judge,
Coimbatore.
2. The Public prosecutor,
High Court, Madras.
3. The Inspector of Police
Thudiyalur Police Station
Coimbatore District.

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CrI.O.P. No.27403 of 2016

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