

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.27348 of 2016

1.Manish Kumar
2.Mukesh Kumar Yathav
3.Roushan Kumar Mandal

... Petitioners

Vs

The State, rep by
The Inspector of Police,
Melpadi Police Station,
Vellore District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the order passed by the learned Principal Sessions Judge, Vellore, Vellore District, in Crl.M.P.No.4408 of 2016 dated 8.11.2016 as regular surety instead of the petitioners / accused are ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- each along with to sureties each (one surety should be a central / State Government servant) for the like sum to the satisfaction of the Judicial Magistrate, Katpadi.

For Petitioners : Mr.E.Kannadasan

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

ORDER

The present criminal original petition has been filed to modify the order passed by the learned Principal Sessions Judge, Vellore, Vellore District, in Crl.M.P.No.4408 of 2016 dated 8.11.2016 as regular surety instead of the petitioners / accused are ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- each along with two sureties each (one surety should be a central / State Government servant) for the like sum to the satisfaction of the Judicial Magistrate, Katpadi.

2. It is the case of the petitioners that they were granted bail by the learned Principal Sessions Judge, Vellore in

CrI.M.P.No.4408 of 2016 on 8.11.2016 on certain conditions. One of the conditions is that the petitioners shall execute a bond for a sum of Rs.10,000/- each along with two sureties each (one surety should be a Central / State Government servant) for the like sum to the satisfaction of the Judicial Magistrate, Katpadi. Since the petitioners are the natives of Bihar and neither their relatives nor their friends are working in Central or State Government, they are unable to comply with the said order and hence, they are not in a position to come out on bail. Hence, the petitioners have come up with the present petition seeking modification of the said condition.

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 modify the said condition to the effect that instead of Central / State Government Servant surety, the petitioners shall furnish one more surety.

5. Accordingly, the condition imposed on the petitioners in CrI.M.P.No.4408 of 2016 on 8.11.2016 by the learned Principal Sessions Judge, Vellore, viz., the petitioners / accused are ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- each along with two sureties each (one surety should be a central / State Government servant) for the like sum to the satisfaction of the Judicial Magistrate, Katpadi is modified as follows:-

" the petitioners / accused are ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- each along with three sureties each for the like sum to the satisfaction of the Judicial Magistrate, Katpadi."

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Principal Sessions Judge,
Vellore, Vellore District.
2. The Judicial Magistrate,
Katpadi, Vellore District.
3. The Inspector of Police,
Melpadi Police Station,
Vellore District.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.E.Kannadasan, Advocate, S.R.No.76190

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RK(CO)
CA(27/12/2016)



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