

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.27435 of 2016

1.Shanmugavel

2.Karthi @ Paraman

... Petitioners

Vs

The State of Tamil Nadu, rep by

The Station House Officer,

Kallakurichi Police Station.

... Respondent

Cr.No.222/2016

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the order passed by the learned Vacation Sessions Judge, Villupuram Sessions Division, Villupuram, from depositing the money of Rs.25,000/- each as cash security and one surety must be Government servant surety in CrI.M.P.No.2614 of 2016 dated 20.5.2016.

For Petitioners: Mr.N.Subramani

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

ORDER

The present criminal original petition has been filed to modify the order passed by the Vacation Sessions, Villupuram Sessions Division, Villupuram, from depositing the money of Rs.25,000/- each as cash security and one surety must be Government servant surety in CrI.M.P.No.2614 of 2016 dated 20.5.2016.

2. It is the case of the petitioners that they were arrested on 4.5.2016 in connection with the case in Crime No.222 of 2016 on the file of the respondent police. Hence, they filed a petition before the Vacation Sessions, Villupuram Sessions Division, Villupuram, in CrI.M.P.No.2614 of 2016 seeking bail and the learned Judge, by order dated 20.5.2016, granted bail to the petitioners on the following conditions:-

" The petitioners are ordered to be released on bail, on their depositing a sum of Rs.25,000/- each as cash security before the lower court as well as on their executing a bond for Rs.10,000/- each with two sureties (one of the surety must be a Government Servant) each for a like sum to the satisfaction of Judicial Magistrate, Kallakurichi, and on condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further order. "

Since the petitioners are poor, they could not mobilize the amount of Rs.25,000/- each to deposit before the Court and also they are unable to arrange Government surety. Hence, they are not in a position to come out on bail. Therefore, the petitioners have come up with the present petition seeking modification.

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

4. Considering the facts and circumstances of the case, this Court is inclined to modify the bail conditions imposed on the petitioners in CrI.M.P.No.2614 of 2016 dated 20.5.2016.

5. Accordingly, the bail conditions imposed on the petitioners in CrI.M.P.No.2614 of 2016 dated 20.5.2016 by the Vacation Sessions, Villupuram Sessions Division, Villupuram is modified as follows:-

" The petitioners are ordered to be released on bail, on their depositing a sum of Rs.5,000/- (Rupees five thousand only) each as cash security before the lower court as well as on their executing a bond for Rs.10,000/- (Rupees ten thousand only) each with three sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Kallakurichi, and on further condition that the petitioners shall appear before the respondent police daily at 10.00 a.m. until further orders. "

The criminal original petition is ordered accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi
To

1.The Vacation Sessions Judge,
Villupuram Sessions Division,
Villupuram.

2. The Judicial Magistrate,
Kallakurichi.

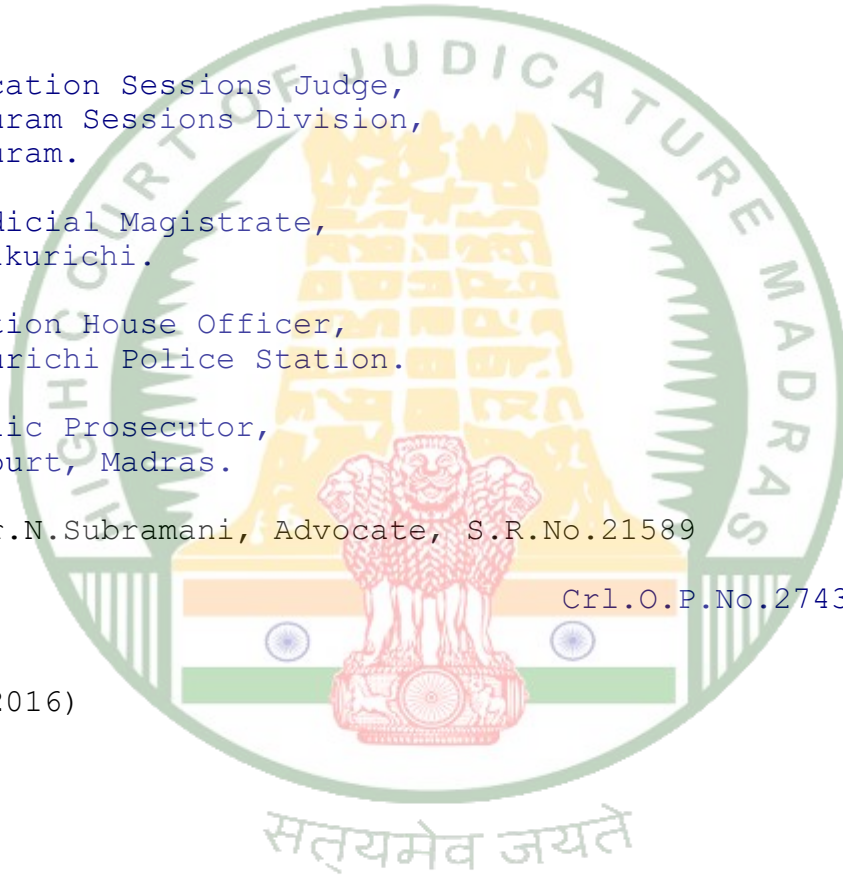
3.The Station House Officer,
Kallakurichi Police Station.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Subramani, Advocate, S.R.No.21589

Cr1.O.P.No.27435 of 2016

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