

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Crl.O.P.No.3005 of 2016

1.Meganate
2.Muralikrishnan

... Petitioners

Vs.

State Rep. by its
The Inspector of Police,
Karimangalam Police Station,
in Crime No.491 of 2015
Dharmapuri District.

... Respondent

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to modify the order passed in Cr.M.P.No.282 of 2016 dated 6.2.2016 before the Principal Sessions Judge of Dharmapuri by modifying the condition the petitioners executing a bond for sum of Rs.2,000/- each along with two sureties each like sum to the satisfaction Judicial Magistrate, No.5, Salem instead of the petitioners executing a bond for sum of Rs.10,000/- each along with two sureties each like sum and one of the surety must a Government surety to the satisfaction Judicial Magistrate, Palacode and the petitioners shall appear and sign before the Judicial Magistrate, Palacode daily once at 10.00 a.m. until further orders.

For Petitioner : Mr.P.Kalimuthu

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

The petitioners have come forward with this petition seeking a modification in the order passed in Crl.M.P.No.282 of 2016 dated 06.02.2016 by the learned Principal Sessions Judge, Dharmapuri.

2.The learned counsel appearing for the petitioners would state that while the petitioners were enlarged on bail, condition of executing a bond for sum of Rs.10,000/- each along

with two sureties each like sum and one of the surety must be a Government surety to the satisfaction Judicial Magistrate, Palacode and the petitioners shall appear and sign before the Judicial Magistrate, Palacode daily once at 10.00 a.m. until further orders was imposed on the petitioners. He would further submit that the petitioners are unable to get a Government Servant as a surety. Hence, the petitioners have come forward with this petition and prays for modification.

3.Heard the learned counsel appearing for the petitioners as well as the learned Additional Public Prosecutor.

4.Considering the submissions made on either side and the nature of the offence punishable under Section 395 of I.P.C., this Court is of the view that it is a fit case for modifying the condition that one of the surety must be a close relative instead of Government surety.

5.Accordingly, the condition imposed on the petitioners by the learned Principal Sessions Judge, Dharmapuri in the order dated 06.02.2016 passed in Crl.M.P.No.282 of 2016 that 'one of the surety must be a Government surety'

is hereby modified as,

'one of the surety must be a close relative'.

The other conditions remain un-altered.

6.With the above modification, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Karimangalam Police Station,
in Crime No.491 of 2015
Dharmapuri District.

2.The Public Prosecutor
High Court, Madras.

+1 cc to Mr.P.Kalimuthu, Advocate, sr.9413

Cr1.O.P.No.3005 of 2016

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kra 19.02.2016



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