

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2016

CORAM

THE HONOURABLE MS.JUSTICE R. MALA

CRL.O.P.No.4336 of 2016

Sakthi

.. Petitioner

.. Vs ..

The State Represented by,
The Inspector of Police,
Papparapatty Police Station,
Dharmapuri District.
Crime No.14 of 2016.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to modify the condition imposed by the learned Principal Sessions Judge, Dharmapuri, in Crl.M.P.No.198 of 2016, dated 28.01.2016, "the petitioner shall execute a bond for a sum of Rs.10,000/- along with one Government Surety and one another surety like sum to the satisfaction of the Judicial Magistrate, Pennagaram.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.C.Emalias

Additional Public Prosecutor

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ORDER

The petitioner has come forward with this petition for modification of the condition viz., that the petitioner shall execute a bond for a sum of Rs.10,000/- along with one Government Surety and one another surety like sum to the satisfaction of the learned Judicial Magistrate, Pennagaram, imposed on him in Crl.M.P.No.198 of 2016, dated 28.01.2016, by the learned Principal Sessions Judge, Dharmapuri.

2. Learned counsel for the petitioner would submit that the petitioner was ordered to be released on anticipatory bail by the learned Principal Sessions Judge, Dharmapuri, and while releasing the petitioner on bail, the learned Principal Sessions Judge, had imposed the following conditions:-

"In the event of arrest of the petitioner or on his surrendering before the concerned Court within ten days, the petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.10,000/- along with one Government Surety and

one another surety like sum to the satisfaction of the Judicial Magistrate, Pennagaram."

3. Learned counsel for the petitioner further submitted that the petitioner is unable to get one Government surety and hence, he seeks for modification of the said condition.

4. Heard the learned Additional Public Prosecutor.

5. Considering the facts and circumstances of the case, it is a fit case to modify the condition of producing one Government Surety imposed by the learned Principal Sessions Judge, Dharmapuri.

6. Accordingly, the condition imposed on the petitioner by the learned Principal Sessions Judge, Dharmapuri, in CrI.M.P.No.198 of 2016, dated 28.01.2016, directing him to execute a bond for a sum of Rs.10,000/- along with one Government surety and one another surety is modified as follows:-

"the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties and one of the sureties must be close relative of the petitioner viz., parents or sisters, each for a like sum to the satisfaction of the learned Judicial Magistrate, Pennagaram,"

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

Jrl

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Principal Sessions Judge, Dharmapuri.

2. The Judicial Magistrate, Pennagaram.

3. The Inspector of Police,
Papparapatty Police Station,
Dharmapuri District.

4. The Public Prosecutor, High Court, Madras.

+ 1 cc to Mr.W.Camyles Gandhi, Advocate Sr 12268

KR/11/3/16

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