

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

Crl.O.P.No.4400 of 2016

D.SIVAKUMAR

...Petitioner/Accused 1

Vs.

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

... Respondent

PRAYER: Petition is filed under Section 482 of the Code of Criminal Procedure praying to modify the bail order to release the petitioner on bail that the petitioner should deposit Rs.1,00,000/- before the District Munsif Cum Judicial Magistrate Court, Vaniyambadi made in C.C.No.15/2015 in CMP No.5232 of 2015 before the District Munsif Cum Judicial Magistrate Court, Vaniyambadi.

For Petitioner : M/s.Parigopal
For Respondent : Mr.M.Mohamed Riyaz,
Govt. Advocate (Crl.side)

O R D E R

Seeking to modify the condition imposed by the learned District Munsif cum Judicial Magistrate Court, Vaniyambadi on 17.12.2015 in C.C.No.15 of 2015 in CMP No.5232 of 2015, the petitioner is before this Court with this petition.

2. The petitioner who is arrayed as A.1 in Crime No.355 of 2012 for the alleged offences punishable under sections 465, 468, 471, 420, 120(b) r/w 109 IPC was arrested on 20.09.2015 and released on bail by the learned District Munsif cum Judicial Magistrate Court, Vaniyambadi vide order dated 17.12.2015 in CMP No.5232 of 2015 on condition that he shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime Number.

3. The learned counsel for the petitioner submitted that though the petitioner was granted bail on 17.12.2015, he is unable to come out on bail due to onerous conditions imposed by the learned District Munsif cum Judicial Magistrate Court, Vaniyambadi on 17.12.2015 and hence seeks modification.

4. Heard the learned Government Advocate (Crl.side) appearing for the respondent.

5. Considering the fact that the occurrence had taken place during the year 2012 and the fact that the petitioner is in judicial custody despite of granting bail to him on 17.12.2015, this court is inclined to modify the condition. Accordingly, one of the condition imposed by the learned District Munsif cum Judicial Magistrate Court, Vaniyambadi that petitioner shall deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime Number is hereby deleted. However, the other condition imposed by the learned District Munsif cum Judicial Magistrate Court, Vaniyambadi vide order dated 17.12.2015 in CMP No.5232 of 2015 shall stand unaltered.

6. This petition is ordered accordingly.

rgr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The District Munsif-cum-Judicial Magistrate, Vaniyambadi.
 2. -do- thro The Chief Judicial Magistrate, Vellore.
 3. The Inspector of Police, Vaniyambadi Police Station, Vaniyambadi, Vellore District.
 4. The Public Prosecutor, High Court, Chennai.
- + 1 cc to M/s.S.Sathiya Seela Advocate Sr 18197

KR/29/3/16

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