

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:12.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

CrI.O.P.No.8010 of 2016

S.Mohan Kumar

...Petitioner

Vs.

State rep.by

The Inspector of Police,
Prohibition Enforcement Wing,
Gobichettypalayam,
Erode District.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to modify the bail order dated 18.03.2016 in CrIOMP No.361 of 2016 on the file of the Principal District and Sessions Judge, Erode, i.e., to pay cash security instead of solvency Certificate.

For Petitioner : Mr.N.Devarajan

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to modify the bail order dated 18.03.2016 in CrIOMP No.361 of 2016 on the file of the learned Principal District and Sessions Judge, Erode, i.e., to pay cash security instead of solvency Certificate.

2.The learned counsel for the petitioner submitted that the petitioner was arrested in Crime No.861 of 2015 and when the petitioner was enlarged on bail, the petitioner was directed to execute a bond for a sum of Rs.1,00,000/- with two sureties each for Rs.50,000/- to the satisfaction of the learned Judicial Magistrate No.III Court, Erode, on condition that the petitioner shall stay at Erode and he should appear and sign before the Judicial Magistrate No.III Court at Erode daily at 10.30.am until further orders. He further submitted that the petitioner's blood brother is working in Southern Railway in Commercial Department as Office Superintendent (OS) and drawing a salary of Rs.45,000/- per month and the petitioner's wife is working in Bangalore and she is ready and willing to stand as surety. He further submitted that they are ready and willing to pay cash surety before the trial

Court instead of solvency Certificate and hence, this petition has been filed.

3.Considering the rival submissions made on both sides, since the petitioner's brother is a Central Government employee and his wife is working in IT Department, they are permitted to deposit a sum of Rs.50,000/-each as cash surety to the credit of the learned Judicial Magistrate No.III, Erode, instead of producing solvency Certificate.

Accordingly, this Criminal Original Petition is disposed of.
mps

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal District and Sessions Judge,
Erode.

2.The Inspector of Police,
Prohibition Enforcement Wing,
Gobichettipalayam,
Erode District.

3.The Public Prosecutor, Madras High Court, Madras.

+ 1 cc to Mr.N.Devarajan, Advocate Sr 22708

KR/13/4/16

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