

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2016

CORAM:

THE HONOURABLE MS.JUSTICE R.MALA

Cr1.O.P.No.8093 of 2016

Logesha

..Petitioner

Vs.

The Inspector of Police,
PEW Perianaickenpalayam Police Station,
Coimbatore.

...Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to modify the condition imposed in the order dated 10.02.2016 passed by the learned Principal District and Sessions Judge, Coimbatore in Cr1.M.P.No.367 of 2016 in Crime No.782 of 2015 on the file of the respondent police by directing petitioner to furnish surety from Karnataka instead of one surety must be a local resident of Coimbatore and one original sale deed should be produced by the petitioner stand in his name.

For Petitioner : Mr.D.Anbarasan

For Respondent : Mr.C.Emalias
Additional Public Prosecutor

सतममेन जयते
O R D E R

This petition has been filed to modify the condition imposed in the order dated 10.02.2016 passed by the learned Principal District and Sessions Judge, Coimbatore in Cr1.M.P.No.367 of 2016 in Crime No.782 of 2015 on the file of the respondent police by directing the petitioner to furnish surety from Karnataka State instead of one surety must be a local resident of Coimbatore and one original sale deed should be produced by the petitioner, which stands in his name.

2.The learned counsel for the petitioner submitted that when the petitioner was enlarged on bail in Cr1MP.No.367 of 2016 on the file of the learned Principal District and Sessions Judge, Coimbatore, he was directed to execute a bond for Rs.10,000/- with two sureties (one surety must be a local resident of Coimbatore and one original sale deed should be

produced by the petitioner, which stands in his name) for a like sum each to the satisfaction of the learned Judicial Magistrate No.VII, Coimbatore, on condition that the petitioner shall report before the respondent police daily at 10.30.am until further orders. Now the learned counsel appearing for the petitioner submitted that the native place of the petitioner is Karnataka and he is unable to get any local surety at Coimbatore. He further submitted that he did not possess any property on his own. However, he is ready to furnish surety from Karnataka instead of local resident of Coimbatore. Hence, the petitioner has come forward with this petition for the above stated relief.

3.At the time of hearing, the learned Public Prosecutor appearing for the respondent enlightened that the petitioner is the resident of Karnataka and he is illegally transported 18 bottles of alcohol and he is involved in another case in Crime No.771 of 2015. Therefore, on considering the same, the learned Principal District and Sessions Judge, Coimbatore, has imposed one of the conditions that one surety must be a local resident of Coimbatore.

4.Considering the submissions made on both sides, if the petitioner is let out on bail, he may be absconded and it is very difficult to secure him. Hence, I do not find any reason to modify the conditions imposed by the learned Principal District and Sessions Judge, Coimbatore in Crl.M.P.No.367 of 2016. Therefore, this Criminal Original Petition is dismissed.

mps

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal District and Sessions Judge,
Coimbatore.

2.The Inspector of Police,
PEW Perianaickenpalayam Police Station,
Coimbatore.

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

+ 1 cc to Mr.D.Anbarasan, Advocate Sr 23286

KR/15/4/16

Crl.O.P.No.8093 of 2016