

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

CrI.O.P.No.4313 of 2017

Marysuba @ Suba Aravindh ... Petitioner/Petitioner/A1

Vs

State rep. by
the Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore District. Respondent/Respondent/Complainant

Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the order passed by the Judicial Magistrate No.VI, Coimbatore in CMP No.1102 of 2017 on 13.02.2017 enabling the petitioner to furnish sureties with proper proof of residence proof (ration card).

For Petitioner : Mr.S.P.Meenakshi Sundaram

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to modify the order dated 13.02.2017 passed by the learned Judicial Magistrate No.VI, Coimbatore in CMP No.1102 of 2017.

2. It is the case of the petitioner that in connection with a case in Crime No.71/2016, registered against her for the alleged offences punishable under Sections 120(B), 408, 467, 419, 420 and 109 IPC, she was arrested and remanded to judicial custody on 19.12.2016. Hence, she filed a petition in CMP.No.1102 of 2017 before the learned Judicial Magistrate No.VI, Coimbatore seeking bail. By order dated 13.02.2017, she was granted bail subject to certain conditions, one of which is to produce a property deed for Rs.15,00,000/-. Aggrieved over the same, the petitioner is before this Court with the present

petition seeking modification of the said condition.

3. Learned counsel for the petitioner submitted that the petitioner is unable to produce a property deed worth about Rs.15,00,000/-, due to which, she will not come out on bail. Learned counsel further submitted that in stead of production of property deed, the petitioner is ready to comply with any other condition that may be imposed by this Court.

4. Heard the learned Additional Public Prosecutor, who took notice for the respondent.

5. Considering the facts and circumstances of the case and also taking note of the inability of the petitioner, this Court is inclined to modify the condition imposed on her, with regard to production of a property deed worth about Rs.15,00,000/-.

6. Accordingly, this Criminal Original Petition is disposed of by modifying the order dated 13.02.2017 passed by the learned Judicial Magistrate No.VI, Coimbatore in CMP No.1102 of 2017, with regard to production of a property deed worth about Rs.15,00,000/-, as follows:

"The petitioner shall deposit a sum of Rs.2,00,000/- before the learned Judicial Magistrate, Mettupalayam, Coimbatore District to the credit of Crime No.71 of 2016, on the file of the respondent police and also execute a bond for a sum of Rs.5,00,000/- each with two Government sureties for a like sum to the satisfaction of the learned Judicial Magistrate, Mettupalayam, Coimbatore District."

The other conditions remain unaltered.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.VI, Coimbatore.

2.The Judicial Magistrate, Mettupalayam, Coimbatore District.

3.The Inspector of Police,
City Crime Branch,
Coimbatore City,
Coimbatore District.

4.The Public Prosecutor, High Court, Madras.

+lcc to Mr.S.P. Meenaksisundaram, Advocate, S.R.No.16086

kj (CO)
md(20/03/2017)

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