

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.Nos.3358 and 3363 of 2017

1.Ammasi

2.Selvam

... Petitioners in
both the Crl.O.Ps.

Vs

The State, represented by
The Inspector of Police,
Harur Police Station,
Dharmapuri District.

... Respondent in
both the Crl.O.Ps.

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the condition imposed on the petitioners by an order dated 7.2.2017 made in C.M.P.Nos.222 and 221 of 2017 respectively on the file of the learned Principal Sessions Court, Dharmapuri, to the effect that the petitioners shall execute the order with two sureties of relatives instead of a Government surety.

For Petitioners: Mr.C.Prabakaran,
in both the Crl.O.Ps.

For respondent : Mr.C.Emalias,
Addl. Public Prosecutor

COMMON ORDER

The present criminal original petitions have been filed to modify the condition imposed on the petitioners by an order dated 7.2.2017 made in C.M.P.Nos.222 and 221 of 2017 respectively on the file of the Principal Sessions Court, Dharmapuri.

2. It is the case of the petitioners that seeking bail, the petitioners filed petitions in C.M.P.Nos.222 and 221 of 2017 respectively before the learned Principal Sessions Judge, Dharmapuri, and the learned Judge, by order dated 7.2.2017, granted bail to the petitioners on certain conditions. One of the conditions is that in each case, the petitioners shall

execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum, out of which one surety must be a Government surety, to the satisfaction of the learned Judicial Magistrate, Harur. Since the petitioners are belonging to very poor family and are daily coolies, they are unable to arrange Government surety. In view of the same, they are not in a position to avail the benefit of the said order. Hence, seeking modification of the said condition, the petitioners have come up with the present petitions.

3. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioners.

4. Considering the facts and circumstances of the case, this Court is inclined to permit the petitioners to execute one Government surety along with two sureties of friends / relatives in both the petitions.

5. Accordingly, the said condition imposed on the petitioners in C.M.P.Nos.222 and 221 of 2017 respectively dated 7.2.2017 by the learned Principal Sessions Judge, Dharmapuri, is hereby modified as follows:-

" In both the cases (C.M.P.Nos.222 and 221 of 2017), the petitioners are ordered to be released on bail, on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with three sureties, out of which, one surety must be a Government surety along with two sureties of friends / relatives, for the like sum to the satisfaction of the learned Judicial Magistrate, Harur. "

The other conditions shall remain unaltered. Both the criminal original petitions are ordered accordingly.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To

1.The Principal Sessions Judge,
Dharmapuri

2.The Judicial Magistrate

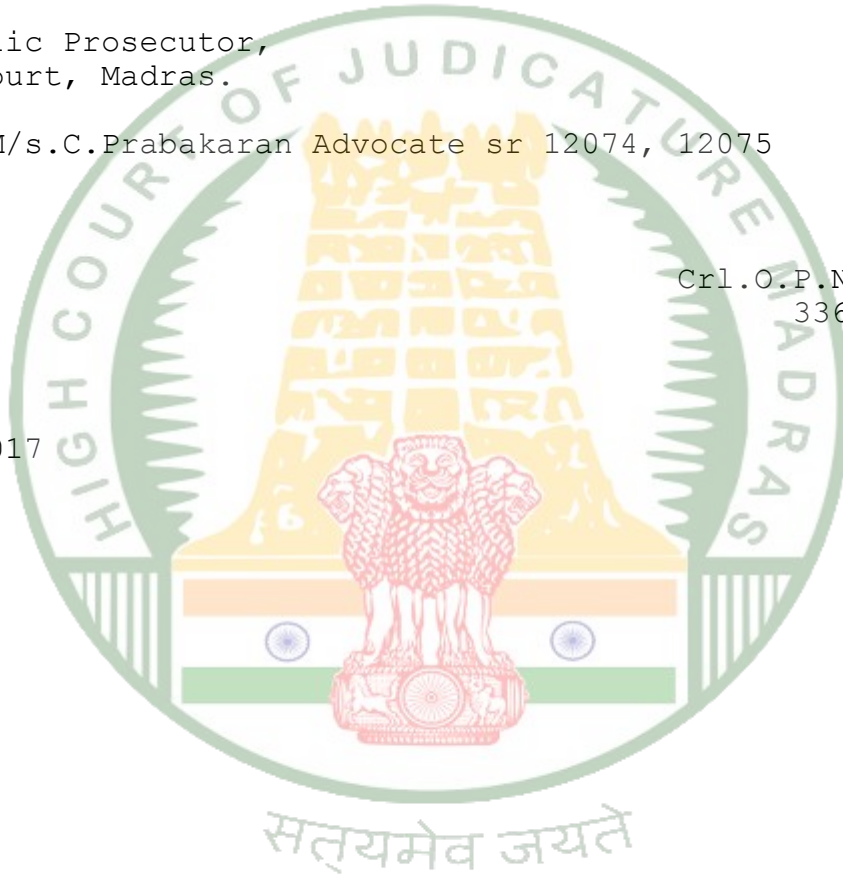
3.The Inspector of Police,
Harur Police Station,
Dharmapuri District.

4.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.C.Prabakaran Advocate sr 12074, 12075

Crl.O.P.Nos.3358 and
3363 of 2017

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