

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.5396 of 2017

Ganesan

... Petitioner/Accused

Vs

State by

Inspector of Police,
Adambakkam Police Station,
Chennai.

crime No 2476/14

... Respondent/Complainant

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the Judicial Magistrate, Alandur to accept the sureties furnished by the petitioner as local sureties in Crl.MP.No.3885 of 2016 on the file of the Principal Sessions Judge, Kancheepuram.

For Petitioner : Mr.M.Gopi

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

ORDER

The present criminal original petition has been filed seeking a direction to the learned Judicial Magistrate, Alandur to accept the sureties furnished by the petitioner and release him on bail, as per the order of the learned Principal Sessions Judge, Kanchipuram dated 05.01.2017 in Crl.MP.No.3885 of 2016.

2. It is the case of the petitioner that he was arrested and remanded to judicial custody on 04.11.2016 in connection with a case in Crime No.2476 of 2016 for the alleged offence punishable under Section 304 IPC. He filed a petition in Crl.MP.No.3885 of 2016 before the learned Principal Sessions Judge, Kancheepuram District at Chengalpattu, seeking bail. By order dated 05.01.2017, he was ordered to be released on bail on his executing a bond for Rs.10,000/- with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Alandur with a condition to report before the respondent police daily at 10.00am until further orders. Pursuant to the same, through his counsel, he has furnished two

sureties before the learned Judicial Magistrate, Alandur, who, however, refused to accept the same and insisted him to furnish blood relative sureties. Due to the same, the petitioner is unable to come out on bail. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondent.

4. Considering the facts and circumstances of the case, this Court directs the learned Judicial Magistrate, Alandur to accept the sureties to be furnished by the petitioner, without insisting him to furnish blood relative sureties and release him on bail subject to satisfaction of other conditions, as per the order of the learned Principal Sessions Judge, Kanchipuram dated 05.01.2017 in CrI.MP.No.3885 of 2016.

5. Accordingly, this Criminal Original Petition is ordered.

-s/d-
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

- 1.The Principal Sessions Judge, Kanchipuram.
- 2.The Judicial Magistrate, Alandur.
- 3.Inspector of Police, Adambakkam Police Station, Chennai.
4. The Public Prosecutor, High Court, Madras.

+1 CC to Mr. M. Gopi, Advocate sr 17279

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