

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.Nos.3576 and 3577 of 2017

1.Prabhu
2.Selvakumar

... Petitioners in
Crl.O.P.No.3576/2017

Mathi @ Madheskumar

... Petitioner in
Crl.O.P.No.3577/2017

Vs

The State represented by
The Inspector of Police,
Karimangalam Police station,
Karimangalam,
Dharmapuri District.
Crime No.639/2016

... Respondent in
both the petitions.

Criminal Original Petitions filed under Section 439 (i)
(b) r/w 482 of CR.Pc. to modify the order passed in
Crl.M.P.Nos.284 and 282 of 2017 respectively on the file of the
learned Principal Sessions Judge, Dharmapuri, Dharmapuri
District, order dated 14.2.2017 with the condition that the one
surety must be a Government Surety and on condition deposit of
Rs.2,00,000/- (Rupees two lakh only) to the satisfaction of the
learned Judicial Magistrate, Palacode.

For Petitioners: Mr.V.Rajamohan
in both the petitions.
For Respondent : Mr.C.Emalias,
Addl. Public Prosecutor
in both the petitions

COMMON ORDER

The present criminal original petitions have been filed to modify the condition imposed on the petitioners by the learned Principal Sessions Judge, Dharmapuri, Dharmapuri District, in Crl.M.P.Nos.284 and 282 of 2017 respectively dated 14.2.2017.

2. It is the case of the petitioners that they have filed petitions in Crl.M.P.Nos.284 and 282 of 2017 respectively before the learned Principal Sessions Judge, Dharmapuri, Dharmapuri District, seeking bail and the learned Judge, by order dated 14.2.2017, granted bail to the petitioners on certain conditions. One of the conditions is that each of the petitioners shall deposit a sum of Rs.2,00,000/- before the learned Judicial Magistrate, Palacode. Seeking modification of the said condition, the petitioners have come forward with the present petitions.

3. Learned counsel appearing for the petitioners submitted that since the petitioners are hailing from poor agricultural family, they could not deposit the said amount and in view of the same, they are not in a position to avail the benefit of the said order.

4. Learned Additional Public Prosecutor has no objection to modify the said condition.

5. In view of the same, the condition imposed on the petitioners in Crl.M.P.Nos.284 and 282 of 2017 respectively dated 14.2.2017 by the learned Principal Sessions Judge, Dharmapuri, Dharmapuri District, viz., the petitioners shall deposit a sum of Rs.2,00,000/- each before the learned Judicial Magistrate, Palacode, is hereby modified to the effect that " the petitioners shall deposit a sum of Rs.1,00,000/- (Rupees one lakh only) each, before the learned Judicial Magistrate, Palacode, within a period of two weeks from the date of receipt of a copy of this order. " The other conditions shall remain unaltered. Both the Criminal Original Petitions are ordered accordingly.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1 The Principal Sessions Judge,
Dharmapuri

2 The Judicial Magistrate, Palacode

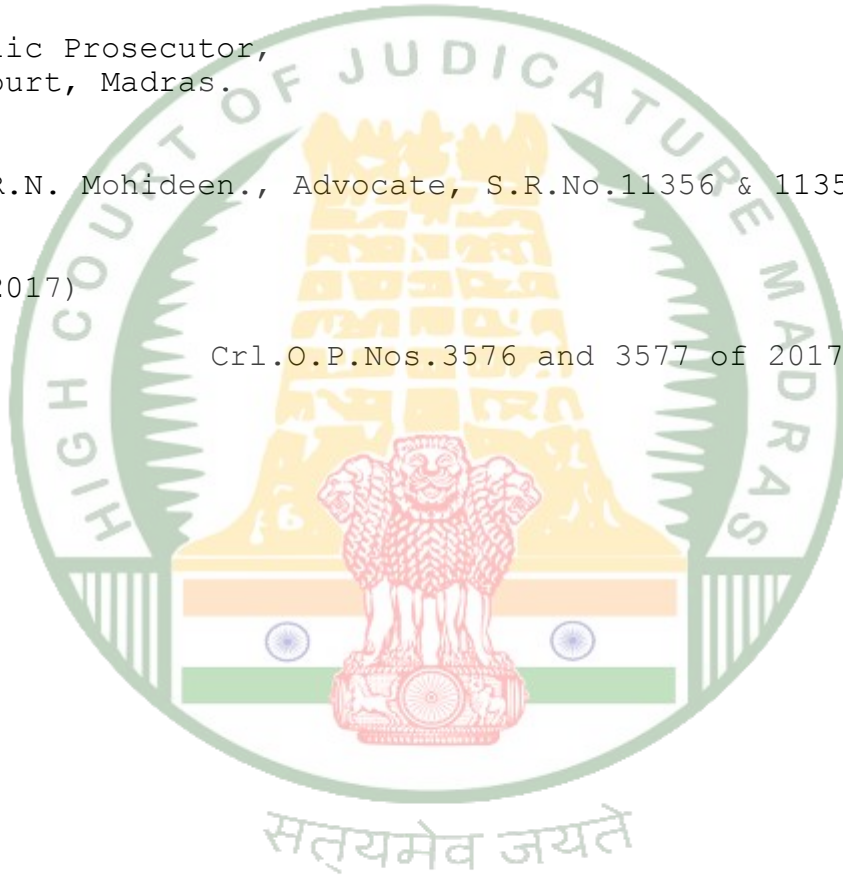
3.The Inspector of Police,
Karimangalam Police station,
Karimangalam,
Dharmapuri District.

4.The Public Prosecutor,
High Court, Madras.

+2cc to MR.N. Mohideen., Advocate, S.R.No.11356 & 11357

vd(CO)
md(23/02/2017)

Cr1.O.P.Nos.3576 and 3577 of 2017



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