IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 11.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

CRL.OP.No.9497 of 2017

1.Venkatachalam
2.Aravindkumar
3.Arunkumar ... Petitioners

Vs

Inspector of Police,
Vaniyambadi Taluk Police Station. ... Respondent
Crime No.113/17

Criminal Original Petition filed under Section 482 Cr.P.C., to modify the bail order imposed by the Hon'ble Principal Sessions Judge, Vellore in Crl.M.P.No.1292 of 2017 dated 28.03.2017.

For Petitioners : Mr.A.P.Suryaprakasam

For Respondent : Mr.M.Mohammed Riyaz,
Government Advocate
(Crl. Side)

O R D E R

This petition has been filed to modify the condition imposed on the petitioners by the learned Principal Sessions Judge, Vellore in Crl.M.P.No.1292 of 2017 dated 28.03.2017.

2. Heard the learned counsel for the petitioners; learned Government Advocate(Crl. Side) for the respondent and perused the materials placed on record.

3. It is seen that, these petitioners were granted bail in Crl.M.P.No.1292 of 2017 by the learned Principal Sessions Judge, Vellore on the following conditions:

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"..... the petitioners are ordered to be enlarged on bail in the event of their arrest by the respondent police or in the event of their surrender before the concerned Court within two weeks on their surrender before the concerned Court within two weeks on their executing a bond for a sum of Rs.10,000/-, each along with two sureties for the like sum to the satisfaction of the Judicial Magistrate No.III, Vellore and further on condition that the petitioners shall appear and sign before the Judicial Magistrate No.I, Vellore, daily at 10.30 A.M. For a period of 30 days (including holidays) from the next day of execution of bond before the trial Court. The petitioners are further directed to appear before the respondent police, as and when required for interrogation.

4. Learned counsel for the petitioner submits that, the petitioners are senior citizens and were living 70 kms away from Vellore and they were not able to travel daily to comply with the condition and hence seeks modification in the condition.

5. Taking into consideration the nature of the offences and the difficulty of the accused, this Court is of the view that it will serve the interest of justice, if the condition with regard to the condition is modified. In the result, the order dated 28.03.2017 in Crl.M.P.No.1292 of 2017 passed by the learned Principal Sessions Judge, Vellore is modified as follows:

The petitioners are ordered to be enlarged on bail in the event of their arrest by the respondent police or in the event of their surrender before the concerned Court within two weeks and on their executing a bond for a sum of Rs.10,000/-, each along with two sureties for the like sum to the satisfaction of the Judicial Magistrate No.III, Vellore and further on condition that the petitioners shall appear and sign before the Judicial Magistrate, Ambur daily at 10.30 A.M. for a period of one week (including holidays) from the date of receipt of copy of this order. The petitioners are further directed to appear before the respondent police, as and when required for interrogation.

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6. For further relaxation of bail conditions, the petitioners may approach the Sessions Court. On breach of any of the aforesaid conditions, the learned Sessions Judge is entitled to take appropriate action against the petitioners in accordance with law, as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005)AIR SCW 5560].

With the above modification, this petition is ordered.

Sd/-
Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

rm
To

1.The Principal Sessions Judge,
Vellore.

2.The Judicial Magistrate,
Ambur.

3.The Inspector of Police,
Vaniyambadi Taluk Police station,
Vaniyambadi.

4.The Judicial Magistrate III,
Vellore.

5.The Chief Judicial Magistrate,
Vellore.

6.The Judicial Magistrate I,
Vellore.

7.The Public Prosecutor,
High Court, Madras.

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+1cc to M/S.A.P.Surya Prakasam, Advocate Sr.8812 [19/05/2017]

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