

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

Crl.O.P.No.5628 of 2017

R.Karuppusamy

... Petitioner

Vs

State rep. by
the Inspector of Police,
City Crime Branch
Coimbatore.

... Respondent

Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to set aside the condition that the petitioner should deposit Rs.1,00,000/- in court in Crime No.11/2017 before executing surety bonds imposed in Cr.MP No.566 of 2017 dated 09.02.2017 by the Judicial Magistrate No.3, Coimbatore.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.C.Emalias, APP

ORDER

This Criminal Original Petition has been filed to modify the order dated 09.02.2017 passed by the learned Judicial Magistrate No.III, Coimbatore in CMP No.566 of 2017.

2. It is the case of the petitioner that he was arrested and remanded to judicial custody on 28.01.2017 in connection with a case in Crime No.11/2017, registered for the alleged offences punishable under Sections 120(b), 420 and 109 IPC and Sections 66(c) and 72 of the Information Technology Act. He filed a petition in CMP.No.566 of 2017 before the learned Judicial Magistrate No.III, Coimbatore seeking bail. By order dated 09.02.2017, he was granted bail subject to certain conditions, one of which is to deposit a sum of Rs.1,00,000/- before executing surety bonds. 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 living in lower rungs of society and he is unable to deposit such a huge amount, due to which, he will not come out on bail. Therefore, learned counsel prayed for modification of the same.

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 him, with regard to deposit of Rs.1,00,000/- before executing the surety bonds, as follows:

"The petitioner shall deposit a sum of Rs.50,000/- to the credit of Cr.No.11/2017 before the learned Judicial Magistrate No.III, Coimbatore before executing surety bonds."

The other conditions remain unaltered.

6. This Criminal Original Petition is disposed of accordingly.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To

1.The Judicial Magistrate No.3, Coimbatore.

2.do thro'The Chief Judicial Magistrate, Coimbatore.

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

4.The Public Prosecutor, High Court, Madras.

+1 cc to Mr.N.Ponraj, advocate, sr.5723.

kk(co)
krd 7/4

Cr1.O.P.No.5628 of 2017

WEB COPY