

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.5762 of 2017

Rajesh Munna

[Petitioner]/Accused

Vs

State, rep.by the
Inspector of Police,
D6 Anna Square Crime Branch,
Chennai.
(Crime No.260 of 2016).

[Respondent]/Complainant

Petition filed under Section 439(1)(B) of the Criminal Procedure Code, to modify the condition imposed in the order made in Crl.M.P.No.1370 of 2016 dated 20.04.2016 that "two surety for Rs.10,000/- each, which one must be a blood surety", by this Court.

For Petitioner : Mr.J.Jawahar

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

O R D E R

By the impugned order dated 20.04.2016 in Crl.M.P.No.1370 of 2016 in Crime No.260 of 2016, the learned XIII Metropolitan Magistrate Court, Egmore (Allikulam), Chennai, granted bail to the petitioner on certain conditions. One of the conditions is that he shall execute a bond for a sum of Rs.10,000/- along with two sureties each for the like sum; that out of two sureties, one surety must be a blood relative of the petitioner. Now the present petition has been filed to issue a direction to modify the condition with regard to blood surety.

2.The learned counsel for the petitioner has submitted that the petitioner has no source of communication to reach any of his family members, since he has been in judicial custody from the month of April 2016. He further submitted that the previous employer of the petitioner is ready to give surety to the petitioner. Stating so, he prayed that the condition relating to execution of one surety by a blood relative may be modified and

instead the surety of the previous employer of the petitioner may be directed to be accepted.

3.Mr.C.Emalias, learned Additional Public Prosecutor, took notice for the respondent.

4.Heard both the sides.

5.Considering the facts and circumstances of the case, the condition imposed by the learned XIII Metropolitan Magistrate Court, Egmore (Allikulam), Chennai, in the order made in CrI.M.P.No.1370 of 2016 in Crime No.260 of 2016 dated 20.04.2016, with regard to sureties is modified to the effect that the "petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) along with two sureties each for the like sum and out of two sureties, one surety shall be the previous employer of the petitioner". The condition with regard to execution of one surety by a blood relative of the petitioner is deleted. Rest of the conditions imposed by the learned XIII Metropolitan Magistrate, Egmore (Allikulam), Chennai, shall remain unaltered.

5.This petition is ordered accordingly.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

KM
To

1. The Inspector of Police,
D6 Anna Square Crime Branch,
Chennai.
2. The XIII Metropolitan Magistrate,
Egmore (Allikulam), Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai-600 104.

+1cc to M/S.J. Jawahar, Advocate Sr. 22538

CrI.O.P.No.5762 of 2017

RSI (CO)
VR(27/4/2017)