

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 10.04.2017
CORAM
THE HONOURABLE MR. JUSTICE R.MAHADEVAN
Crl.O.P.No.6880 of 2017

1.M.Parthasarathi
2.M.Saravanan

... Petitioners

Vs

The Sub Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to modify the conditions imposed by the learned Judicial Magistrate, Palacode for granting bail to the petitioners in CMP No.1394 of 2017 dated 15.03.2017 for the Crime No.619 of 2016 on the file of the Karimangalam Police station.

For Petitioners: Mr.K.Sathish Kumar

For Respondent : Mr.C.Emalias,

ORDER

This Criminal Original Petition has been filed to modify the conditions imposed by the learned Judicial Magistrate, Palacode, while granting bail to the petitioners, by order dated 15.03.2017 in CMP No.1394 of 2017.

2. The case of the petitioners is that they have been arrayed as accused in a case in Crime No.619 of 2016 by the respondent police, for the offence under Section 420 IPC. Pursuant to the same, they were arrested and remanded to judicial custody on 14.01.2017. They moved a petition in CMP.No.1394 of 2017 seeking statutory bail. By order dated 15.03.2017, they were granted bail, subject to certain conditions, one of which is that the petitioners shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum, one surety must be a Government surety and on condition to deposit Rs.2,00,000/- each (Rupees Two lakhs only). Aggrieved over the same, the petitioners are before this Court with the present petition.

3. Learned counsel for the petitioners submitted that as the petitioners are doing agricultural work, they are in a position to comply with the said condition imposed by the learned Magistrate. 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 petitioners, this Court is inclined to modify the first condition imposed on the petitioners by order dated 15.03.2017 passed by the learned Judicial Magistrate, Palacode in CMP.No.1394 of 2017, as follows:

"Each of the petitioners shall execute a bond for a sum of Rs.10,000/- with two regular sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Palacode and they shall deposit a sum of Rs.25,000/- each to the credit of Crime No.619/2016 before the learned Judicial Magistrate, Palacode."

Except the above, other condition remain unaltered.

6. Accordingly, the Criminal Original Petition is ordered.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Judicial Magistrate, Palacode.

2.The Sub Inspector of Police,
Karimangalam Police Station,
Dharmapuri District.

3.The Public Prosecutor,
High Court, Madras.

+1 cc to M/s.K.Sathish kumar Advocate sr 22699

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