

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 28.02.2017
CORAM
THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN
Crl.O.P.No.3965 of 2017

Kiran Kumar

... Petitioner

Vs

The State Rep by,
The Inspector of Police,
W-5 All Women Police Station,
Vepery, Chennai.
(Crime No.2/2016)

... Respondent

This criminal original petition filed under Section 439(1) (b) r/w.482 Cr.P.C. to modify the order passed in Crl.M.P.No.13092 of 2016 dated 16.08.2016 with regard to the condition to report before the Principal Sessions Judge, Mahila Court, Chennai.

For Petitioner : Mr.P.Sundararajan

For respondent : Mr.C.Emalias,
Addl. Public Prosecutor

ORDER

The present criminal original petition has been filed seeking modification of the bail condition imposed on the petitioner in Crl.M.P.No.13092 of 2016 dated 16.08.2016 directing the petitioner to execute a bond for a sum of Rs.10,000/- with two sureties for a like sum to the satisfaction of the court below.

2. Mr.P.Sundararajan, learned counsel appearing for the petitioner submits that the petitioner is a poor coolie and he was arrested on 22.05.2016. By an order dated 16.08.2016, bail has also been granted to the petitioner with certain conditions. One of the condition is that he shall execute a bond for a sum of Rs.10,000/- with two sureties each to the satisfaction of the concerned court. Since the petitioner is a poor coolie, he was not able to get two sureties and execute bond for Rs.10,000/-, and hence, the petitioner is not in a position to avail the benefit of the said order and seeking modification of the said order, the petitioner has come up with the present petition.

3. Learned Additional Public Prosecutor has no serious objection to modify the said condition imposed on the petitioner.

4. Hence, the condition imposed on the petitioner in CrI.M.P.No.13092 of 2016 dated 16.08.2016, viz., the petitioner shall execute a bond for a sum of Rs.10,000/- each with two sureties for the like sum to the satisfaction of the Sessions Judge, Mahila Court, Chennai, is hereby modified as follows:-

" The petitioner is directed to execute two sureties by producing their ration card to the satisfaction of the learned Sessions Judge, Mahila Court, Chennai. "

The other conditions shall remain unaltered. The criminal original petition is ordered accordingly.

-s/d-
Assistant Registrar(CSIV)

True Copy

Sub-Assistant Registrar

mrp

To

1. The Inspector of Police,
W-5 All Women Police Station,
Vepery, Chennai.

2. The Public Prosecutor,
High Court, Madras. सत्यमेव जयते

+1 cc to Mr.P.Sundararajan Advocate sr 12870

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