

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2017

CORAM

THE HONOURABLE DR. JUSTICE P.DEVADASS

CRL.O.P. No.277 OF 2017

1.Rajiv Kumar
2.Ramsingh Sumer

..Petitioners/Accused

Versus

State represented by
Inspector of Police,
Selaiyur Police Station,
Chennai.

..Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 439(1) (b) of Code of Criminal Procedure, to modify the condition made in C.M.P. No.6660 of 2016 on the file of the learned Judicial Magistrate, Tambaram by order dated 17.10.2016.

For Petitioners: Mr.T.Arul

For Respondent : Mr.R.Sekar
Government Advocate (Crl. Side)

O R D E R

This is a petition for modification of certain portion of the bail order passed by the learned Judicial Magistrate, Tambaram in C.M.P. No.6660 of 2016 dated 17.10.2016.

2.It is seen that the learned Magistrate granted bail on own bond of Rs.10,000/- of the petitioners. However, after granted own bail bond, the Judicial Magistrate directed production of two sureties i.e. one should be a Government surety and other should be a blood relation. The bail conditions are contradictory. When once the learned Judge has elected to grant bail on own bond, thereafter, calling the accused to produce sureties is uncalled for.

3.Heard both sides.

4.In the facts and circumstances, it is ordered as under:

(i)The bail order dated 17.10.2016 passed in C.M.P. No.6660 of 2016 by the learned Judicial Magistrate, Tambaram, on condition to produce sureties are deleted.

(ii)The petitioners shall appear before the respondent police as and when required for interrogation.

5.Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.Inspector of Police,
Selaiyur Police Station,
Chennai.

2.The Judicial Magistrate,
Tambaram.

3.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

GJ(CO)
RS(18/01/2017)

सत्यमेव जयते

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