



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED

C.R.L. OP(MD) No.12277 of 2017

- 1.Diwakaran
- 2.Suriya Prakash
- 3.Ezhilarasan
- 4.Raja Pandian
- 5.Arjun Karthik
- 6.Alagumuthu
- 7.Muniasamy
- 8.Maduraisamy
- 9.Aathi
- 10.Velayutham
- 11.Hariharasudhan
- 12.Partheeban
- 13.Dhanasekaran
- 14.Selvaganesan
- 15.Selvam
- 16.Muthiah
- 17.Ajith
- 18.Balaji
- 19.Dinesh
- 20.Purusothaman
- 21.Rajkumar
- 22.Miltan
- 23.YashwanthSubbu
- 24.Packiaraj
- 25.Karthick
- 26.M.Manojkumar
- 27.Ranjith Kumar
- 28.P.Manojkumar
- 29.Jeyakumar

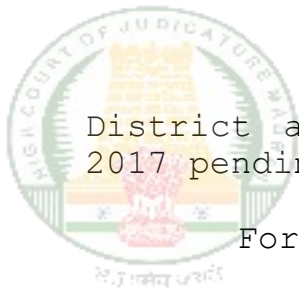
... Petitioners/Accused Nos.1 to 29

-Vs-

The State rep.by
D1, Inspector of Police,
Tallakulam Police Station,
Madurai
(Crime No.1711 of 2017)

... Respondent/Complainant

<https://hcservices.mca.gov.in/hcservices>
PRAYER: The Criminal Original Petition is filed, under Section 439
(1) (B) of Criminal Procedure Code praying to modify the condition
in Cr.M.P.No.4957 of 2017 on the file of the learned 1st Additional



District and Sessions Judge, Madurai pertaining to Cr.No.1711 of 2017 pending on the file of the respondent police.

For Petitioners : Mr.S.Vanchinathan

For Respondent : Mr.A.Ramar
Additional Public Prosecutor

O R D E R

This petition is filed to modify the condition imposed by the learned I Additional District and Sessions Judge, Madurai in Cr.M.P.No.4957 of 2017, dated 13.09.2017 pertaining to the Crime No.No.1711 of 2017 pending on the file of the respondent police.

2. Both the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent are present.

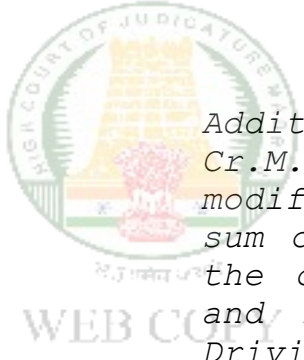
3. The learned Additional Public Prosecutor appearing for the respondent states that he has no objection regarding the number of sureties and also production of Solvency Certificate from Revenue Officials for modification.

4. The petitioners were granted bail by the learned I Additional District and Sessions Judge, Madurai in CrI.M.P.No.4957 of 2017, dated 13.09.2017, directing the petitioners to execute a bond for a sum of Rs.10,000/- each with two sureties for the like sum each to the satisfaction of the learned Judicial Magistrate No.II, Madurai with some conditions for appearance.

5. The learned counsel appearing for the petitioners states that the petitioners are students and they are not able to produce the sureties as directed by the Court below. He has also referred the Judgment of this Court reported in **2017-1-LW (CrI.) 800 (Sagayam @ Devasagayam Vs. State rep. by the Inspector of Police, G-7, Chetpet Police Station, Chennai)** stating that demanding production of VAO Certificate, Residence Certificate, Solvency certificate or Tahsildar Certificate are not mentioned in the Code of Criminal Procedure and these are all creations and inventions of certain Courts and the Court should be satisfied as to the genuineness, identity of the surety and his residential address by producing Passport, Ration card, Pan card, Driving licence, voter's ID, Aadhaar Card, Photo ID issued by a recognized educational institution and Photo Credit Card etc.,

6. Considering the nature of the charges against the petitioners herein and that the petitioners are college students, this Court is inclined to modify the conditions:

"Accordingly, the order passed by the learned I



Additional District and Sessions Judge, Madurai, in Cr.M.P.No.4957 of 2017, dated 13.09.2017, in para No.7 is modified directing the petitioners to execute a bond for a sum of Rs.10,000/- with one surety to the satisfaction of the concerned Magistrate as to the genuineness, identity and residential address by Passport or Aathar Card or Driving Licence etc., and the said Magistrate should not insist Solvency certificate for the surety and the petitioners herein from the Revenue Officials. The remaining conditions shall stand unaltered."

7. With the above direction, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II, Madurai.

2.I Additional District and Sessions Judge, Madurai.

3.D1, Inspector of Police,
Tallakulam Police Station,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.S.VANCHINATHAN Advocate in SR. No.78935

TRP

JS/RSK/SAR.1/15.09.2017/3P-6C

C.R.L. OP(MD) No.12277 of 2017
14.09.2017