



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

Crl.O.P(MD)No.12397 of 2017

A.Surya @ Kalaiyarasan @
Thirukkannan

: Petitioner/Petitioner/Accused

Vs.

State through
The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.

(Crime No.213 of 2016 &
Crime No.243 of 2016)

: Respondent/Respondent/Complaint

PRAYER: Criminal Original Petition is filed under Section 439(1) (b) of Criminal Procedure Code, to direct the learned Judicial Magistrate, Thirumangalam to accept common blood sureties instead in Crl.M.P.No.425 of 2017 in Crime No.213 of 2016 order dated on 30.01.2017 and Crl.M.P.No.1723 of 2017 in Crime No.243 of 2016 order dated on 24.03.2017 of solvent sureties on the file of the respondent police.

For appellant
For Respondent

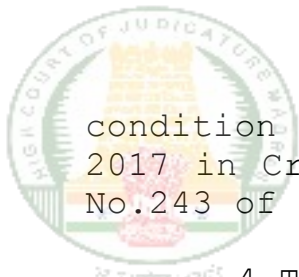
: Mr.S.Malaikani
: Mr.K.S.Durai Pandian
Additional Public Prosecutor.

O R D E R

This criminal original petition is filed against the order passed by the learned Judicial Magistrate, Thirumangalam in Crl.M.P.No.425 of 2017 in Crime No.213 of 2016 and Crl.M.P.No.1723 of 2017 in Crime No.243 of 2016, order dated on 30.01.2017 .

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3.The learned counsel for the petitioner submits that <https://hcmr.courts.gov.in/hcmr/cr/cr12397> has been passed in favour of the petitioner, he is not able to execute a bond for a sum of Rs.10,000/- with two sureties, as he is poor. Hence, the petitioner prays to modify the



condition imposed by the learned Magistrate in Crl.M.P.No.425 of 2017 in Crime No.213 of 2016 and Crl.M.P.No.1723 of 2017 in Crime No.243 of 2016, dated on 30.01.2017.

4.The learned Additional Public Prosecutor appearing for the respondent police, would submit that the lower Court has imposed the conditions considering the facts and circumstances of the case and hence, no interference is warranted.

5.Considering the facts and circumstances of the case, the condition imposed by the Court below is modified to that effect that while executing the bond, the petitioner shall produce common blood relatives in Crl.M.P.No.425 of 2017 in Crime No.213 of 2016 and Crl.M.P.No.1723 of 2017 in Crime No.243 of 2016, dated on 30.01.2017 and the other conditions imposed remain unaltered.

This criminal original petition is ordered accordingly.

Sd/-
Assistant Registrar/
Vacation Officer

/True Copy/

Sub-Assistant Registrar

To

- 1.The Judicial Magistrate,
Thirumangalam.
- 2.The Inspector of Police,
Thirumangalam Taluk Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Ns/Gns/Smi
RL/4C/2P/SKN/RSK/SAR2/28/9/2017

Order made in
Crl.O.P (MD) No.12397 of 2017