



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Thirteenth day of June Two Thousand and Seventeen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL OP(MD) No.7021 of 2017

P.KANNAN

... PETITIONER/ PETITIONER /ACCUSED
(RANK NOT KNOWN)

Vs

STATE THROUGH THE INSPECTOR OF POLICE,
THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT
(CRIME NO. 243 OF 2016)

... RESPONDENT/ RESPONDENT /
COMPLAINANT

Prayer : This Criminal Original Petition is filed Under Section 439 (1) (B) read with 482 of Criminal Procedure Code praying to modify the condition imposed by the Honourable Principal Sessions Judge, Madurai in Crl.M.P.No. 5306 of 2016 by the order dated 10/11/2016 consequently to direct the Learned Judicial Magistrate, Thirumangalam to accept the sureties produced by the petitioner and pass such further or other orders as this Honourable Court may deem fit.

ORDER : This Criminal Original petition is coming on for orders on this day and upon perusing the petition and the copy of the order dated 10.11.2016 made in Crl.MP(MD)No.5306/2016 by the Principal Sessions Judge, Madurai and upon hearing the arguments of Mr.S.Malaikani, Advocate for the petitioner and of Mr.C.Ramachandran, Additional Public Prosecutor for the respondent, the Court Made the following order :-

The petitioner/accused in this petition arrested for the alleged offence punishable under Section 397 IPC, in Crime No.243 of 2016, on the file of the respondent/Police, was granted bail by the learned Principal Sessions Judge, Madurai in Crl.M.P.No.5306/2016 on 10.11.2016, with a condition that he shall execute a bond for Rs.10,000/- (Rupees Ten Thousand only), along with two sureties for a like sum to the satisfaction of learned Judicial Magistrate, Tirumangalam.

2.The learned counsel for the petitioner submitted that the petitioner is not able to produce surety with bond, as found in the bail order, since according to the petitioner, he is hailing from poor, landless, normal family and there is nobody ready to stand for surety with solvency of Rs.10,000/- (Rupees Ten Thousand only) each.



3.It is also contended by the learned counsel appearing for the petitioner that he is ready to deposit Rs.10,000/- (Rupees Ten Thousand only) in cash and produce blood surety without solvency.

4.Considering the fact that to the petitioner, though bail was granted on 10.11.2016, he is not able to comply the condition and avail the benefit of it, obviously due to the reason stated in the petition.

5.Therefore it is necessary to modify the bail condition to the effect that the petitioner shall deposit Rs.10,000/- (Rupees Ten Thousand only) in cash and produce two blood relatives as sureties, subject to the satisfaction of learned Judicial Magistrate, Tirumangalam.

6.With the above observation, this petition is ordered accordingly.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

TO

1 THE PRINCIPAL SESSIONS JUDGE,
MADURAI.

2 THE JUDICIAL MAGISTRATE,
THIRUMANGALAM, MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
THIRUMANGALAM POLICE STATION,
MADURAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.MALAIKANI, Counsel for the Petitioner, SR.No.59839

GK

PSM/SV-MMS/SAR2/15.06.2017/2P/6C

ORDER DATED :13.06.2017

ORDER

IN

CRL OP (MD) No.7021 of 2017