

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 14.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE A.M.BASHEER AHAMED**Cr1.O.P. (MD)No.8926 of 2017**

Suresh

: Petitioner/Petitioner

Vs.

State Represented by
The Inspector of Police,
Sessions Court Police Station,
Trichy City.
(Crime No.250 of 2017)

: Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1) (B) of the Code of Criminal Procedure, praying to modify the order in so far as the Condition No.1 stipulated in Cr.M.P.No.3810 of 2017 on the file of the Judicial Magistrate No.II, Trichy dated 29.06.2017 so far as the imposition of condition to the petitioner shall submit two blood related sureties on behalf of the petitioner and to execute a bond to the sum of Rs.10,000/- and to surrender the original documents related to the property which was shown as a proof to the value of the bond executed.

For Petitioner : Mr.P.Banuprasath.
For Respondent : Mr.A.Ramar,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition is filed under Section 439(1) (b) of the Code of Criminal Procedure to modify the order insofar as the Condition No.1 stipulated in Cr.M.P.No.3810 of 2017, on the file of the learned Judicial Magistrate No.II, Trichy, dated 29.06.2017, so far as the imposition of condition that the petitioner shall submit two blood related sureties on behalf of the petitioner and to execute a bond to a sum of Rs.10,000/- and to surrender the original documents related to the property, which was shown as a proof to the value of the bond executed.

2. The learned counsel appearing for the petitioner submits that the learned Judicial Magistrate No.II, Trichy, while allowing the petition, imposed as one of the conditions (1st Condition) to the effect that the petitioner should produce the two blood



related sureties on behalf of him and also to execute a bond for a sum of Rs.10,000/- and to submit the original documents of the property which was shown as the value of the bond executed. He would further submit that since the condition imposed by the learned Magistrate is a onerous one, which the petitioner not able to comply the condition even after taking bail, he seeks modification of the above condition.

3. Heard the learned Additional Public Prosecutor appearing for the respondent.

4. Considering the facts and circumstances of the case, the 1st condition, imposed by the learned Judicial Magistrate No.II, Trichy in CrI.M.P.No.3810 of 2017, dated 29.06.2017, to the effect that the petitioner should submit two blood related sureties on behalf of him and to execute a bond for a sum of Rs.10,000/- and to surrender the original documents related to the property, which was shown as a proof to the value of the bond executed, is modified to the effect that the petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties each for a like sum to the satisfaction of the Magistrate concerned and the property documents should not be insisted from the concerned sureties.

5. With regard to other conditions imposed by the learned Judicial Magistrate No.II, Trichy, are concerned, they remain unaltered.

6. Accordingly, the Criminal Original petition is ordered.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The Judicial Magistrate No.II, Trichy.

2.The Superintendent of Central Prison, Trichy.

3.The Inspector of Police,
Sessions Court Police Station,
Trichy City.

+1cc to M/S. P.BANU PRASATH, Advocate, SR.No.26516.

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