



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2017

CORAM

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THE HONOURABLE MR.JUSTICE B.GOKULDAS

CRL.R.C.(MD)No.78 of 2017

Subbulakshmi

...Petitioner/Petitioner/Owner of the
property

Vs.

State through the Inspector of Police,
Sivagiri Police Station
in Crime No.40 of 2016,
Sivagiri Taluk,
Tirunelveli District.

... Respondent/Respondent/Complainant

Prayer: The Criminal Revision Petition is filed under Section 397 r/w. Section 401 of Cr.P.C., against the order dated 01.11.2016 passed in C.R.M.P.No.3163 of 2016 in P.S.Crime No.40 of 2016 on the file of the District Munsif Court cum Judicial Magistrate, Sivagiri.

For Petitioner
For Respondent

: Mr.F.X.Eugene
: Mrs.S.Prabha,
Govt. Advocate (Crl.side)

O R D E R

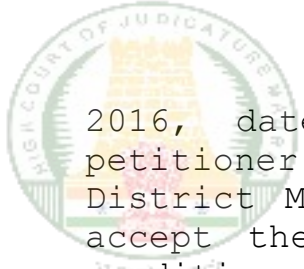
The Criminal Revision Petition is filed against the order passed by the District Munsif Court-cum-Judicial Magistrate, Sivagiri in C.R.M.P.No.3163 of 2016, dated 01.11.2016.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side).

3. The learned counsel for the petitioner submits that though the order has been passed in favour of the petitioner, she is unable to comply the first condition of surety bond to the tune of Rs.1,68,000/- as she has no property. Now, the petitioner wants to modify the first condition of the order passed by the trial Court in C.R.M.P.No.3163 of 2016, dated 01.11.2016.

4. The learned Government Advocate (Crl.side) submits that since the property is being 'Mangalsuthra', the first condition alone may be modified as to accept the salary certificate of the petitioner.

5. Considering the above facts and circumstances of the case, the Court is inclined to modify the first condition alone. Accordingly, the first condition imposed by the District Munsif Court-cum-Judicial Magistrate, Sivagiri in C.R.M.P.No.3163 of



2016, dated 01.11.2016 is modified to the effect that the petitioner shall produce the salary certificate and the learned District Munsif cum-Judicial Magistrate, Sivagiri is directed to accept the salary certificate of the petitioner for the first condition and the other conditions imposed remain unaltered.

6. This Criminal Revision Petition is disposed of accordingly.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.THE INSPECTOR OF POLICE
SIVAGIRI POLICE STATION
SIVAGIRI TALUK
TIRUNELVELI DISTRICT

2.THE ADDITIONA PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

+1 cc to Mr. F.X.EUGENE, Advocate, Sr.No: 3838

MAS/PN:08.02.2017:2P/4C

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