

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Third day of August Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.10137 to 10140 of 2018

IN CRL OP.13904 to 13907 of 2018

1 RAKESH, [PETITIONER IN CRL.MP.NO.10137/2018
2 JIYA LAL, IN CRL.O.P.NO.13904 of 2018]
3 MEENU,
4 HANSRAJ,

1 JIYA LAL, [PETITIONER IN CRL.MP.NO.10138 to 10140/2018
2 MEENU, IN CRL.O.P.NOS.13905 TO 13907 of 2018]
3 HANSRAJ

Vs

THE STATE REP BY ITS, [RESPONDENT IN ALL THE PETITIONS]
THE INSPECTOR OF POLICE,
GOVERNMENT RAILWAY POLICE STATION,
TAMBARAM, CHENNAI.
Crime No.212 of 2016.
CR.NOS.169, 208 & 170 of 2017

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to modify the condition imposed in Crl.O.P.NOS.13904, 13905, 13906 & 13907 of 2018 in Crime No.212 of 2016, 169, 208 & 170 of 2017 dated 21.06.2018 on the file of Inspector of Police, Government Railway Police Station, Tambaram.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.S.SENGKODI, [IN ALL THE PETITIONS] Advocate for the petitioner and of Mr. G.RAMAR, Govt. Advocate (Crl. Side), [IN ALL THE PETITIONS] on behalf of the Respondents the court made the following order:-

These Miscellaneous Petitions have been filed to modify the conditions imposed upon the petitioners vide order dated 21.06.2018 passed by this Court in Crl.O.P.Nos.13904 to 13907 of 2018.

2. Heard the learned counsel appearing for the petitioners, the learned Government Advocate [Criminal Side] appearing for the State and also perused the documents.

3. It is the case of the petitioners that they have filed petitions in Crl.O.P.Nos.13904 to 13907 of 2018 seeking bail and this Court, by order dated 21.06.2018, granted bail to the petitioners on certain conditions. One of the conditions is that the petitioners shall execute a bond for a sum of Rs.10,000/- each with two sureties, out of which one must be a blood relative and another must be a Government servant, each for a like sum to the satisfaction of the learned Judicial Magistrate, Tambaram. Since the petitioners are poor, they are unable to arrange the Government servant surety. In view of the same, the petitioners are not in a position to avail the benefit of the said order. Hence, seeking modification of the said order, the petitioners have come up with the present petitions.

4. In fact, there are eight previous cases pending against these petitioners and all were registered for the offence under Section 379 of IPC. Further, the petitioners are the residents of Haryana State. Only on considering those aspects, this Court imposed the conditions as stated above. Furthermore, all of them have committed the offence in the jewellery shop in a preplanned manner. Hence, I am of the opinion that if this condition is relaxed, there is a possibility for absconding the accused from the clutches of law. Accordingly, these miscellaneous petitions are dismissed.

-sd/-
03/08/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

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Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
TAMBARAM.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE
GOVERNMENT RAILWAY POLICE STATION,
TAMBARAM CHENNAI.

+1 C.C. to M/S.S.RAJANIKANTH Advocate on payment of necessary charges SR.NOS.14588, 14589, 14590, 14591

Order

in
CRL MP.10137/2018

in
CRL OP.13904/2018

Date :03/08/2018

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