

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09..01..2018

CORAM:

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.460 of 2018

Kannan

..... Petitioner

-Versus-

State Rep. By
The Inspector of Police,
Madipakkam Police Station,
Chennai.
[Crime No.839 of 2017]

..... Respondent

Petition filed under Section 439(1)(b) of Cr.P.C. praying to modify the condition imposed by the learned Judicial Magistrate, Alandur, in CrI.M.P.No.6128 of 2017 while granting bail to the petitioner on 28.11.2017.

For Petitioner : Mr.T.Arul

For Respondent : Mr.C.Iyyapparaj,
Addl. Public Prosecutor

ORDER

This petitioner was arrested and remanded to custody on 24.10.2017 in connection with a case in Crime No.839 of 2017 for offences u/s 454 and 380 of IPC. He was granted bail in CrI.M.P.No.6128 of 2017 by the learned Judicial Magistrate, Alandur, on the following condition:

"Accordingly the petitioner is released on bail on executing a bond for a sum of Rs.10,000/- with 2 sureties for the like sum out of which one surety must be close relative and on further condition that he shall appear before the respondent/police daily at 10.30 a.m. for a period of 30 days."

2. Though bail was granted as early as on 28.11.2017, the petitioner was not able to procure any surety of his close relative and therefore, he continued to be in jail. Hence this petition.

3. The learned counsel for the petitioner would submit that the father of the petitioner is no more and his age old mother is at Tirunelveli and the petitioner is unable to procure surety of his close relative and that the petitioner is prepared to secure a responsible person to stand as surety for his appearance in court.

4. Having regard to the above facts and circumstances of the case, this court is inclined to modify the condition relating to furnishing of sureties and that the condition imposed by the learned Magistrate is modified as follows:-

"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 learned Judicial Magistrate, Alandur"

The other conditions imposed by the learned Magistrate shall stand maintained.

5. In the result, this criminal original petition is ordered as indicated above.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Judicial Magistrate, Alandur, Kancheepuram District.
- 2.The Inspector of Police, Madipakkam Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Chennai 600104.

+1cc to Mr.T.ARUL Advocate, S.R.No. 1722

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TR(11/01/2018)

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