

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:12.02.2018
CORAM

THE HONOURABLE Mr.JUSTICE A.D.JAGADISH CHANDIRA
Crl.O.P.No.3698 of 2018

Ayyappan

.. Petitioner/Accused

Vs

The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.
(Cr.No.546 of 2004)

..Respondent/ Complainant

Prayer: Criminal Original Petition filed under Section 439(1)
(b) of Cr.P.C., to relax the condition imposed in
Crl.M.P.No.3561 of 2017 on the file of the Judicial
Magistrate, Uthangari.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.C.Iyyapparaj
(Additional Public Prosecutor)

O R D E R

This petition has been filed to relax the condition
imposed in Crl.M.P.No.3561 of 2017 on the file of the Judicial
Magistrate, Uthangari.

2.The petitioner was ordered to be released on bail by
the learned Judicial Magistrate, Uthangarai in Crl.M.P.No.3561
of 2017 dated 06.12.2017, wherein the condition imposed by the
learned Magistrate was that the sureties shall execute a bond
for a sum of Rs.10000/- along with two sureties like such
sum each and the sureties shall submit the original property
document in the Court till the disposal of the case.

3. The learned counsel for the petitioner submitted that
though the order was passed on 16.12.2017, since the
relatives of the petitioner does not possess any property,
they are unable to comply with the condition no.2, wherein the
original property document was directed to be submitted in
the Court. He would submit that condition is non compilable
condition and that the petitioner though granted bail on
16.12.2017, he is unable to come out of bail.

4. The learned Additional Public Prosecutor was asked to verify about the particulars of the petitioner and has reported that the petitioner is a resident of Puliampatti Village, Krishnagiri District.

5. Taking into consideration, the facts of the case and the petitioner is in jail, inspite of order granted on 16.12.2017, since the sureties are unable to produce original property document in court, I am inclined to modify that condition no.2 alone. However, the petitioner shall furnish two other sureties to the value of 10,000/- and one of the surety should be mother of the petitioner.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Uthangari.

2. The Inspector of Police,
Kallavi Police Station,
Krishnagiri District.

3. The Public Prosecutor, High Court, Madras.

+lcc to Mr.R.Sankara Subbu, Advocate SR.NO.3010 dt.14.2.2018

MR(CO)
sm:13.2.2018

सत्यमेव जयते

Cr1.O.P.No.3698 of 2018

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