

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.04.2018

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P. No.10761 of 2018

Munusamy

...Petitioner

vs.

State rep by

The Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.

...Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. to modify the conditions from executing a bond for a sum of Rs.25,000/- with two sureties a like sum each to Rs.10,000/- from report and stay before the Villupuram Town Police Station to the Judicial Magistrate - II, Poonamallee in Crl.M.P.No.4739 of 2017 by an order dated 22.12.2017, Principal District and Sessions Judge, Tiruvallur.

For petitioner : Mr.P.Sundararajan

For Respondent : Mrs.Kritika Kamal.P

Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking to modify the conditions from executing a bond for a sum of Rs.25,000/- with two sureties a like sum each to Rs.10,000/- from report and stay before the Villupuram Town Police Station to the Judicial Magistrate - II, Poonamallee in Crl.M.P.No.4739 of 2017 by an order dated 22.12.2017 on the file of the Principal District and Sessions Judge, Tiruvallur.

2. The petitioner is facing prosecution in P.R.C.No.23 of 2017 before the Judicial Magistrate No.II, Poonamallee for the offences under Sections 294 (b), 323, 307 @ 302 of IPC. The petitioner was granted bail by the Principal District and Sessions Judge, Tiruvallur in Crl.M.P.No.4739 of 2017 on 22.12.2017 on condition that the petitioner should execute a bond for a sum of Rs.25,000/- with two sureties. Since, the petitioner was not been able to arrange sureties, he has not been able to enjoy the fruits of the bail order. Therefore, the

petitioner has filed the present petition for modification.

3. Heard Mr.P.Sundararajan, learned counsel appearing for the petitioner and Mrs.Kritika Kamal.P, learned Government Advocate (Crl. Side) appearing for the respondent.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner is also involved in Cr.No.603 of 2017 for the offences under Sections 294(b), 341, 392, 397 and 506 (ii) of IPC. Since the committal proceedings are yet to be completed, this Court directs the Judicial Magistrate No.II, Poonamallee to commit the case in P.R.C. No.23 of 2017 to the Principal District and Sessions Judge, Tiruvallur within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the Principal District and Sessions Judge, Tiruvallur is directed to modify the sureties condition in Crl.M.P.No.4739 of 2017 and reduce the amount from Rs.25,000/- to Rs.10,000/- and also include a condition that one of the sureties should be a blood relative of the petitioner.

5. With the above directions, this petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

dh / avr

To

1. THE JUDICIAL MAGISTRATE NO.II,
POONAMALLEE.
2. TO THRO THE CHIEF JUDICIAL MAGISTRATE, TIRUVALLUR
3. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
TIRUVALLUR.
4. THE INSPECTOR OF POLICE,
VELLAVEDU POLICE STATION,
THIRUVALLUR DISTRICT.
5. THE INSPECTOR OF POLICE,
VILLUPURAM TOWN POLICE STATION.

6. THE SUPERINTENDENT,
CENTRAL PRISON, PUZHAL, CHENNAI.

7. THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1cc to Mr.P.SUNDARARAJAN, Advocate, S.R.No. 30418

Cr1.O.P. No.10761 of 2018

NA(CO)
TR(08/05/2018)



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