

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Second day of January Two Thousand Eighteen

PRESENT

The Hon`ble Dr. Justice G.JAYACHANDRAN

CRIMINAL MISCELLANEOUS PETITION No.635 of 2018

AND CRL.A.NO.5 OF 2018

1 N.GIRIPRASAD

[PETITIONERS]

2 VIJAYAKUMARI PRASED

Vs

THE INSPECTOR OF POLICE

[RESPONDENT]

SPE/CBI/ACB/CHENNAI

R.C.NO.MAI 2009 A 0069

Petition praying that in the circumstances stated therein the High Court will be pleased to Modify the order dated 05.01.2018 made in Crl.M.P.29 of 2018 passed by this Hon`ble court in so far as the value of the sureties is concerned by reducing the same from 10,00,000/- to any lower value of sureties and pas such further or other orders.[CRL.MP.NO.635/2018]

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.SATHISHRAJAN Advocate for the petitioner and of MR.K.SRINIVASAN SPECIAL PUBLIC PROSECUTOR FOR CBI CASES on behalf of the Respondent the court made the following order:-

This petition has been filed to modify the order dated 05.01.2018 passed by this Court in Crl.M.P.No.29 of 2018 insofar as the value of the sureties is concerned by reducing the same from Rs.10,00,000/- to any lower value of sureties.

2. This Court, while suspending the sentence, has imposed a condition that *the petitioners shall execute a bond for a sum of Rs.10,00,000/- (Rupees ten lakhs only) with two sureties each for a like sum to the satisfaction of the learned Principal Special Judge for CBI Cases, VIII Additional City Civil Court, Chennai - 104, within a period of two weeks from the date of receipt of a copy of this order.*

3. The present petition is filed to modify the said condition stating that the petitioners are husband and wife, they are directed to produce four sureties for Rs.10,00,000/- each in total Rs.40,00,000/- which is absolutely not possible for them, since no one is willing to offer sureties for such huge amount. The petitioners will be put to untold hardship if the condition is not modified.

4. The total value of the assets held by the petitioners

disproportionate to their known source of income is around Rs.50,00,000/- but now, the petitioners plead that no one is coming forward to stand sureties for them.

5. Taking note of the above submission, this Court modify the conditions as below:-

i) the petitioners shall execute a bond for a sum of Rs.5,00,000/- (Rupees five lakhs only) with two sureties each for a like sum to the satisfaction of the learned Principal Special Judge for CBI Cases, VIII Additional City Civil Court, Chennai - 104, within a period of one week from the date of receipt of a copy of this order and also

ii) the petitioners shall appear before the above said Court on the first working day of every English calendar month, at 10.30 am, until further orders.

-sd/-

22/01/2018

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

TRUE COPY

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

TO

1 THE PRINCIPAL SPECIAL JUDGE
FOR CBI CASES, VIII ADDITIONAL CITY CIVIL
COURT, CHENNAI-104

2 THE SPECIAL PUBLIC PROSECUTOR
FOR CBI CASES, HIGH COURT, MADRAS

3 THE STATE REP BY ITS
THE INSPECTOR OF POLICE,
SPE/CBI/ACB/CHENNAI

+1 C.C. To M/S.SATHISHRAJAN Advocate on payment of necessary
charges SR.NO. 1410

Order

in
CRL MP.635/2018

AND CRL.A.NO.5 OF 2018

Date :22/01/2018

From 7.2.2001 the Registry is issuing certified
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RD 29/01/2018