

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2018

CORAM

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

Crl.O.P. No.15586 of 2018

1. Elangovan
 2. Vishnu @ Vishnuvarthan
- ...Petitioners

vs.

State Rep. by
The Deputy Superintendent of Police
Tirukovilur Division,
Office of the Deputy Superintendent of Police
Tirukovilur, Villupuram District. ...Respondent

Criminal Original Petition filed under Section 482, Cr.P.C. to modify one of the bail conditions imposed by the learned Principal Sessions Judge, Villupuram in Crl.MP.No.3385 of 2018 dated 07.06.2018 that the petitioners should deposit a sum of Rs.50,000/- each as cash security in P.R.C.No.41 of 2017 in Crime No.353 of 2017, pending committal on the file of the learned Judicial Magistrate, Tirukovilur.

For petitioners : Mr.A.Balamurugan
For Respondent : Mrs.P.Kritika Kamal.P
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed to modify one of the bail condition dated 07.06.2018 imposed by the Principal Sessions Judge, Villupuram in Crl.MP.No.3385 of 2018, that the petitioners should deposit a sum of Rs.50,000/- each as cash security in P.R.C.No.41 of 2017 in Crime No.353 of 2017, pending committal on the file of the Judicial Magistrate, Tirukovilur.

2. The petitioners are facing prosecution in PRC.No.41 of 2017 before the Judicial Magistrate, Tirukovilur, for the offences under Section 174(3) Cr.P.C @ 498A & 304(B) IPC. The petitioners filed Crl.MP.No.3385 of 2018 under Section 438 Cr.P.C., seeking anticipatory bail, in which, the Principal Sessions Judge, Villupuram, by order dated 07.06.2018, granted anticipatory bail on certain conditions, one of which is that

the petitioners shall deposit Rs.50,000/- each as cash security. Challenging the said condition, the petitioners are before this Court.

3. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

4. Admittedly, A1, A2 and A3 were arrested and released on bail, during investigation. The petitioners are the brothers of A1 and have been implicated for the charge under Section 498-A IPC.

5. Taking into consideration the facts and circumstances of the case, this Court is of the view that the interest of justice will be served, if a sum of Rs.50,000/- each is reduced to Rs.10,000/- each. Accordingly, this Court modifies the amount of Rs.50,000/- each to Rs.10,000/- each as cash security. Rest of the conditions imposed by the Principal Sessions Judge, Villupuram, shall remain the same. The petitioners are directed to surrender before the Judicial Magistrate, Tirukovilur on or before 03.07.2018 and furnish the sureties. If the petitioners abscond, a fresh FIR can be registered against them under Section 229-A IPC.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Sessions Judge,
Villupuram.
2. The Deputy Superintendent of Police
Tirukovilur Division,
Office of the Deputy Superintendent of Police
Tirukovilur, Villupuram District.
3. The Public Prosecutor
High Court, Madras.
4. The Judicial Magistrate,
Tirukovilur.

+1cc to Mr.A.Balamurugan, Advocate sr.no.37848

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nr 20/06/2018