

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.06.2018

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

CRL.O.P.No.16325 of 2018

Muthu

.. Petitioner

Vs

State

The Inspector of Police

K-10 Police Station

Koyambedu, Chennai.

Crime.No.472 of 2018

.. Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., to modify the conditional order of executing a surety one must be a blood surety before the lower Court passed in Crl.MP.No.7185 of 2018 dated 26.04.2018 on the file of the Principal Sessions Judge at Chennai.

For Petitioner : Mr.S.Vellidoss

For Respondent : Mrs.Kritika Kamal.P

Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to modify the condition of the order dated 26.04.2018 passed by the Principal Sessions Judge, Chennai in Crl.MP.No.7185 of 2018.

2. The respondent police registered a case in K-10 P.S. Crime No.472 of 2018 for the offences under Sections 147, 148, 341, 294-B, 336, 427, 392, 397 and 506(ii) IPC and arrested Selvam (A1) Manikandan (A2) and Muthu (A3). Manikandan (A2) and Muthu (A3) were granted bail on 26.04.2018 by the Principal Sessions Judge, Chennai in Crl.MP.No.7185 of 2018, on certain conditions, one of which is that the accused shall execute a bond for Rs.10,000/- each with two sureties, of which, one must be a blood surety, each for a likesum to the satisfaction of the V Metropolitan Magistrate, Chennai. Since Muthu (the petitioner herein) was not able to get any of the blood surety, he has filed the present petition for modification of the said condition.

3. The learned counsel for the accused submitted that Muthu hails from Madurai; his father has died and his mother aged about 60 years is living in Madurai. He further submitted that the petitioner's friends are ready and willing

to stand as sureties.

4. It is common knowledge that bogus sureties are rampant, on account of which, Non-Bailable Warrants are pending in various trial Courts unexecuted.

5. The learned Government Advocate (Crl. Side) submitted that there is no previous case against the petitioner.

6. In such view of the matter, the condition relating to blood surety alone stands deleted. The V Metropolitan Magistrate, Chennai, is directed to test genuineness of the surety, after issuing notice to the respondent police and thereafter, accept the same. Rest of the conditions imposed by the V Metropolitan Magistrate, Chennai, shall remain the same.

With the above modification, this petition is ordered, accordingly.

Sd/-  
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Sessions Judge,  
Chennai.

2.The V Metropolitan Magistrate,  
Chennai.

3.The Inspector of Police  
K-10 Police Station  
Koyambedu, Chennai.

4.The Public Prosecutor  
High Court, Madras.

+1cc to Mr.S.Vellidoss, Advocate SR.No.41203

NA(CO)  
sm:28.6.2018

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