

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Fourth day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.9675 of 2018

IN CRL OP.15584/2018

RAVI

[PETITIONER]

Vs

STATE REPRESENTED BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
MAMALLAPURAM POLICE STATION,
KANCHIPURAM DISTRICT.

Petition praying that in the circumstances stated therein the High Court will be pleased to modified the condition the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, Chengalpattu, Orders imposed in Crl.O.P.No.15584 of 2018 dated 20.06.2018.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.ILAYARAJAKANDASAMY, Advocate for the petitioner and of M/S.T.P.SAVITHA, GOVERNMENT ADVOCATE [CRL.SIDE] on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to modify the condition imposed on the petitioner in Crl.O.P.No.15584 of 2018, dated 20.06.2018 on the file of this Court that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, Chengalpattu.

2.The learned counsel for the petitioner would submit that the petitioner is an insolvent and it is very difficult for him to execute a bond for Rs.25,000/-. Further, he submitted that in the order passed by this Court, a direction was issued to the petitioner that the sureties have to be produced before the learned Additional District and Sessions Judge, Chennai, which is also against the provision of law.

3.On considering the said aspects, it appears that the petitioner was remanded to judicial custody for the offence punishable under Section 302 IPC. Moreover, as of now, the case is pending before the learned Additional District and Sessions Judge,

Chengalpattu. Before committing the case to the Court of Sessions, the petitioner was released on bail and thereafter, he was remanded to judicial custody only based on the NBW issued by the learned Additional District and Sessions Judge for the non appearance of the petitioner.

In the said situation, the contention raised by the learned counsel for the petitioner does not have any merit. Thereby, this Court is not inclined to modify the order dated 20.06.2018 passed by this Court in Crl.O.P.No.15584 of 2018. Hence, this petition is dismissed.

-sd/-
24/07/2018

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 ADDITIONAL DISTRICT AND
SESSIONS JUDGE, CHENGALPET.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE INSPECTOR OF POLICE,
MAMALLAPURAM POLICE STATION,
KANCHIPURAM DISTRICT.

C.C. to M/S.ILAYARAJAKANDASAMY Advocate on payment of necessary charges

Order

in
CRL MP.9675/2018

in
CRL OP.15584/2018

Date :24/07/2018

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MLT-27/07/2018