



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.04.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.5167 of 2018

Jaffer Sadiq

... Petitioner

Vs.

State Rep. by,
The Sub-Inspector of Police,
Keeranur Police Station,
Dindigul.
(Crime No.254 of 2017)

... Respondent

PRAYER: Criminal Original Petition is filed under Section 439(1) (b) of the Code of Criminal Procedure, to modify the order passed by the learned Judicial Magistrate, Palani, in Cr.M.P.No.621 of 2018, dated 22.01.2018 in connection with Crime No.254 of 2017 on the file of the respondent police.

For Petitioner : Ms.C.R.Ponnuthai

For Respondent : Ms.M.Anantha Devi
Government Advocate
(Criminal side)

ORDER

This Criminal Original Petition has been filed by the petitioner seeking to modify the order passed by the learned Judicial Magistrate, Palani, in Cr.M.P.No.621 of 2018, dated 22.01.2018, in connection with Crime No.254 of 2017, on the file of the respondent police.

2.Heard both sides.

3.By the order impugned in this Criminal Original Petition, the learned Judicial Magistrate, Palani, has imposed a condition that the petitioner should produce one Government surety.

4.The learned counsel appearing for the petitioner submitted that the production of Government surety is not possible of compliance and that as a result, the petitioner is confined in prison for more than 155 days.



5. Finding merit in the said submission of the learned counsel appearing for the petitioner, this Criminal Original Petition is allowed and the condition imposed by the learned Judicial Magistrate, Palani, in Cr.M.P.No.621 of 2018, dated 22.01.2018, is modified to the effect that the petitioner shall furnish two sureties and they need not be Government sureties. The other conditions imposed by the learned Judicial Magistrate, Palani, in Cr.M.P.No.621 of 2018, dated 22.01.2018, shall stand unaltered.

Sd/-
Assistant Registrar (Crl.Side)

/True copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Palani,
Dindigul District.
2. The Sub-Inspector of Police,
Keeranur Police Station,
Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO C.R.PONNUTHAI, ADVOCATE, SR NO.59924

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04.04.2018

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MS/SV-MMS/SAR-1/05.04.2018/2P.5C