



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2018

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

Crl.O.P. (MD) No.12499 of 2018

Ramzan Kani

.. Petitioner/Petitioner/Accused

Vs.

State Through
The Inspector of Police,
Kalaiyar Kovil Police Station,
Sivagangai District.

(In Crime No.501/2017)

.. Respondent/Respondent/Complainant

PRAYER: Criminal Original Petition is filed under Section 439(1-B) of the Code of Criminal Procedure, to modify the condition in Cr.M.P.No.791 of 2018 passed by the learned Judicial Magistrate No.I, Sivagangai, dated 03.03.2018.

For Petitioner	:	Mr.A.MU.Sharavanan
For Respondent	:	Mr.A.P.G.Ohm Chairma Prabhu Government Advocate (Crl. Side)

ORDER

The petitioner has come forward with this petition seeking to modify the condition in Cr.M.P.No.791 of 2018 passed by the learned Judicial Magistrate No.I, Sivagangai, dated 03.03.2018.

2.The petitioner is in custody since 23.11.2017. She was granted bail on condition that one of the sureties should be a blood relative. The petitioner is not in a position to arrange such a surety. Therefore, the petitioner continues to languish in jail. The petitioner has now been able to identify two persons as sureties, but they are not blood relatives. The details of them was passed to the learned Government Advocate yesterday. It has been verified through the local police. It is stated they are genuine sureties.

3.In view of the same, the condition imposed by the learned Judicial Magistrate No.I, Sivagangai, that one of the sureties should be a blood relative stands set aside.

4.Further, the petitioner has been directed to appear before the respondent police station daily at 10.30. a.m. for a period of 30 days. Since he was in jail for more than 4 months after the bail order was passed, this Court of the view that the accused shall be enlarged on bail without such condition to appear before the respondent police. Of course, the petitioner shall appear before the respondent police as and when required for interrogation.



4. With these modifications, this criminal original petition stands allowed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Judicial Magistrate No.I,
Sivagangai.
2. The Inspector of Police,
Kalaiyar Kovil Police Station,
Sivagangai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.A.MU.Sharavanan, Advocate, SR.No.14125

Cr1.O.P. (MD) No.12499 of 2018
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