



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.12.2018

CORAM:

THE HONOURABLE Mr.JUSTICE M.NIRMAL KUMAR

Crl.O.P. (MD) Nos.22284 to 22286 of 2018

WEB COPY

Santosh

... Petitioner in all Crl.OPs.

Vs.

The State Rep.by the
The Inspector of Police,
B1, Vilakkuthoon Police Station,
Madurai,
Madurai District
(in Cr.No.451 of 2018)

... Respondent in all Crl.O.Ps.

COMMON PRAYER: Petitions are filed under Section 439(1) (B) of Criminal Procedure Code, praying to modify the condition imposed in the order made in Cr.M.P.No.2960, 2961 & 2962 of 2018 respectively, dated 05.12.2018, on the file of Judicial Magistrate Court No.1, Madurai.

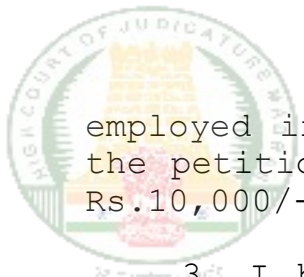
For Petitioner : Mr.R.Chandrasekar
(In all Crl.O.Ps.)

For Respondent : Mr.K.Suyambulinga Bharathi
(In all Crl.O.Ps.) Government Advocate (crl.side)

COMMON ORDER

This Criminal Original Petitions have been filed praying praying to modify the condition imposed in the order made in Cr.M.P.No.2960, 2961 & 2962 of 2018 respectively, dated 05.12.2018, on the file of Judicial Magistrate Court No.1, Madurai.

2. The learned counsel appearing for the petitioner would submit that the learned Judicial Magistrate No.1, Madurai, has granted bail to the petitioner under Section 167(2) of Cr.PC., on 05.12.2018, with the conditions that the petitioner was directed to execute a bond for Rs.10,000/- with two sureties, Nativity Certificate for the petitioner only and Solvency Certificate from the concerned Tahsildar for the sureties for a like sum and to appear before the respondent Police daily at 10.00 a.m., for three weeks. The petitioner was granted bail on 05.12.2018. It is nearly two weeks since the order of the lower Court had been passed and the petitioner due to this conditions, which is onerous to the petitioner, is unable to execute the sureties. He further submits that the petitioner is Native of Trivandram to make his living was



employed in a saree job, as sales man. He further submits that the petitioner has got two friends, who can execute two sureties of Rs.10,000/- each, as per the lower Court order.

3. I have heard the learned counsels appearing on either side and perused the materials available on record.

4. Considering the above facts that the petitioner is an indigent person, who is unable to comply with the condition, the condition of Nativity and Solvency Certificates from the concerned Tahsildar, for the sureties need not be insisted. In view of the same, the petitioner is to be released on bail on execution of two sureties for Rs.10,000/- with two sureties each for a like sum and to report before the respondent Police daily at 10.00 a.m., until further orders.

5. With the above direction, the Criminal Original Petitions stand allowed.

Sd/
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-III)

To

1.The Judicial Magistrate Court No.1,
Madurai.

2.The Chief Judicial Magistrate, Madurai.

3.The Inspector of Police,
B1, Vilakkuthoon Police Station,
Madurai,
Madurai District

4.The Addl.Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+3cc to Mr.R.Chandrasekar, Advocate, SR.No. 101127

Cr1.O.P. (MD) Nos.22284 to 22286 of 2018
18.12.2018

MPK

KK/RSK/SAR-3/20.12.2018/2P-8C