

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2019

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P. No.12023 of 2019

Shahinur Rahman

... Petitioner/Accused

..Vs..

State by the Inspector of Police,
Central Crime Branch,
Chennai.
(Crime No.180 of 2018)

.... Respondent /Complainant

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to modify the condition imposed on the petitioner herein by the learned Judicial Magistrate, Alandur in Crl.M.P. No.6162 of 2018 by order dated 13.11.2018 to the effect that the petitioner shall be permitted to furnish a normal surety instead of furnishing a close relative surety as per the order of the learned Judicial Magistrate, Alandur by an order dated 13.11.2018 in the above Crl.M.P. No.6162 of 2018.

For Petitioner : Mr.G.Vinodhkumar

For Respondent : Mr.M.Prabhavathi,
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for modification of condition imposed by the Court below while granting bail to the petitioner.

2. The Court below while granting bail to the petitioner had imposed various conditions, out of which, one condition was that one of the surety must be a close relative.

3. The learned counsel for the petitioner submitted that the petitioner is a Bangaladeshi citizen and there are no close relatives who are living at Chennai and therefore he is not in a position to comply with the said condition. Learned counsel further submitted that the petitioner has suffered incarceration for more than seven months and he is not in a position to come out from the jail.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to modify the condition regarding sureties to the effect that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties for a like sum. The petitioner shall thereafter be taken to the Bangaladesh Camp, Trichy by the respondent, where all the Bangaladeshi citizen who are over staying in India have been confined, to be dealt with under the Emigration Act, 1983.

5. Accordingly, the Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Alandur.

2.The Inspector of Police,
Central Crime Branch,
Veppery, Chennai.

3.The Public Prosecutor,
High Court, Madras.

+2 cc's to Mr.G.Vinoth Kumar, Advocate, Sr.No. 43431

NRJK(CO)
CSL/13.05.2019

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